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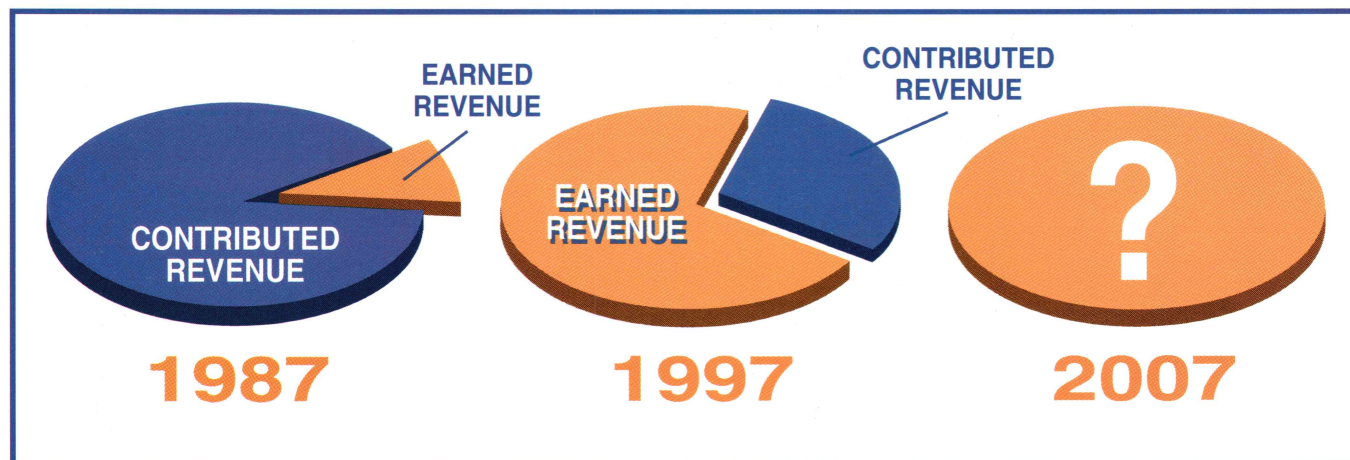
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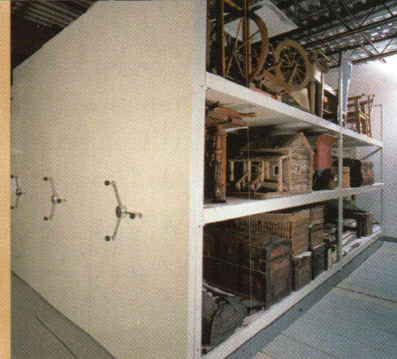
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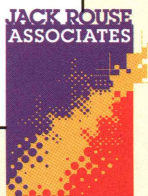
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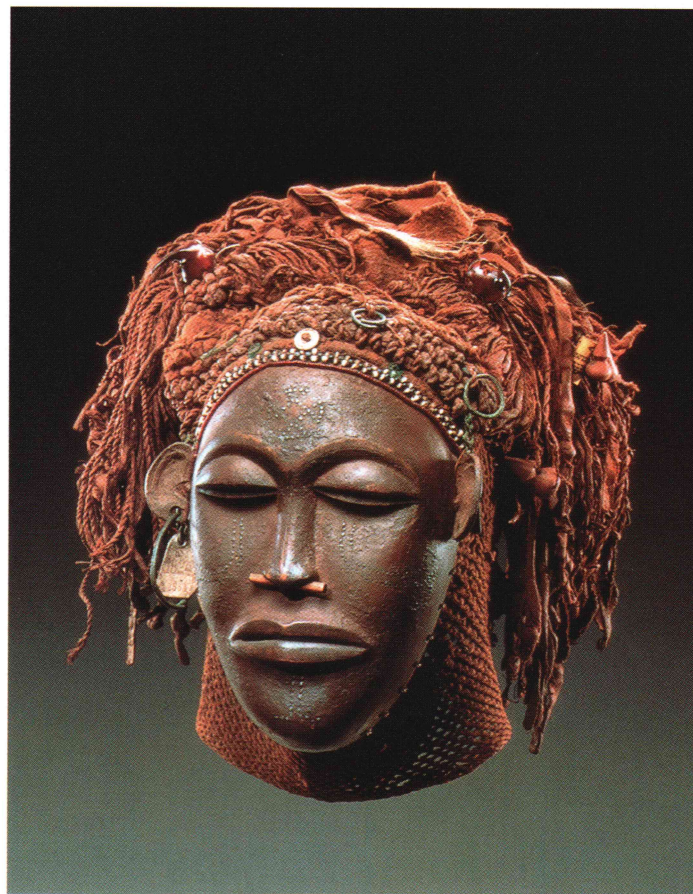
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Above: Face mask from the Congo—part of a traveling exhibition from the Tervuren Museum in Belgium (see page 16). Photo by Roger Asselberghs.

The Fair Use Debate

The Double-Edged Sword: Museums and the Fair Use Doctrine

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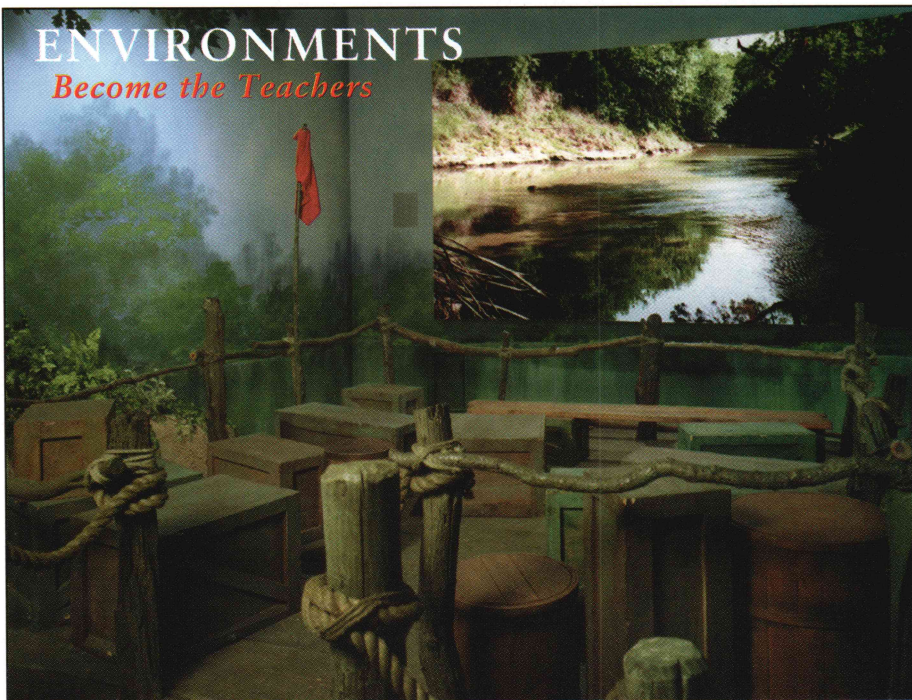
Strategic Agenda FY 1998-2000

A report to its membership from AAM / 65

On the cover: Sword of Justice, German (perhaps Solingen), 1700-35. From the collection of the Higgins Armory Museum, Worcester, Mass. Photo by Chris Challis.

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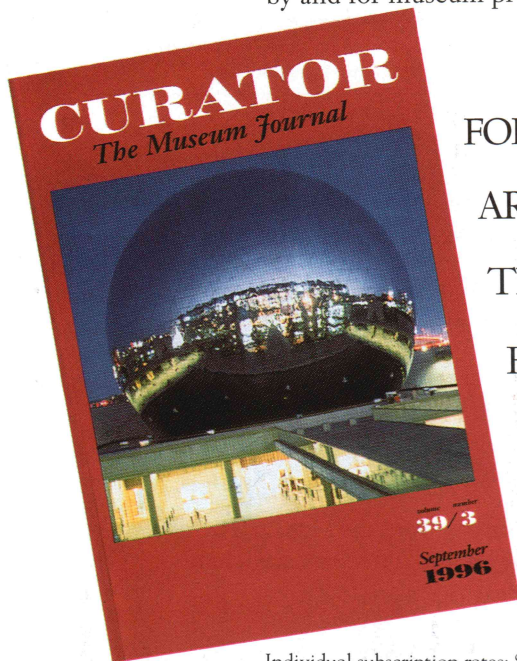
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Letters

Efficient, Effective, Diverse

Stephen Weil's "either-or" dichotomy of romantic versus realistic museums ("Forum," March/April, page 52) may not be a problem if you view museum health from a different, more organic (i.e., complexly integrated) perspective. Weil postulates that management of romantic museums can focus on efficiency as a primary performance measure while realistic museums can primarily focus on effectiveness. Weil predicts that individual museums will evolve towards one or the other type—romantic or realistic.

In my experience studying why and how organizations fail in the corporate, government, and nonprofit world, and in my consulting to over 300 such entities that were seeking to improve and ensure long-term health, it is not an "either-or" question, but a "both-and" issue. By focusing on efficiency the nat-

ural trend is for bureaucracy to grow. Paradoxically a focus on efficiency brings inefficiency. The greatest precursor of inefficiency occurs when an institution believes it is per se of intrinsic value to society. This belief leads to more internal focus and a consequent disconnection with society. If that society is in flux itself the internally focused institution gets out of synch even faster. This slide into bureaucracy is always preceded by another stage of an institution's life called aristocracy.

This is a pleasant stage where the institution is well endowed in dollars and objects and facilities. It enjoys a notable reputation and has more amenities than younger infant or growing museums. A much sought for stability easily shifts to stolidity. Internally there is more fragmentation between the various functions. Board and staff feel "we have arrived in the museum world," and there

is a declining ability to listen to the outside world. The tendency is to become more efficient in doing the wrong thing. This evolution is not inevitable. Thoughtful management can reverse and halt this aging process by focusing on effectiveness rather than exclusively on efficiency.

On the other hand, an institution driven by effectiveness and too little attention to efficiency will run out of resources because it lacks the basic efficiency of focus. Long-term institutional health requires attention to both effectiveness and efficiency. Yes, this will produce conflict, and it is this very conflict of continually balancing effectiveness and efficiency that is one of the primary functions of good management. The proportion of effectiveness and efficiency is not necessarily 50-50. It might be 25-75. Setting this ratio and exploring its

(Please turn to Letters, page 57)

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M Notes

City Life Crisis

Little more than a year after opening a new \$8.3-million exhibition center, the Baltimore City Life Museums (BCLM) closed its doors on June 21, 1997. The museum's approximately 40 staff members were laid off. According to museum officials, the closing is a temporary measure that will allow the institution to resolve its financial difficulties. "The museum has explored a number of options and determined that planning to achieve its mission can best be accomplished if the facilities are temporarily closed to the public," said Francis A. Contino, chairman of the board of trustees, in a written statement. Museum officials would not provide any further details about their plans for the museum.

The closing affects BCLM's eight sites, including the Peale Museum (the first museum building in the United States), the H. L. Mencken House, and the Carroll Mansion (home of a signer of the *Declaration of Independence*). Though its newest site, the Morton K. Blaustein City Life Exhibition Center, opened with great fanfare in April 1996, the museum has been in financial trouble for some time. BCLM never completed an \$11.5-million capital campaign and owes more than \$2 million in bank loans on the exhibition center. In recent months the board had tried to save money by closing two days a week, decreasing opening hours, and laying off a portion of the staff. But it wasn't enough to keep the museum open.

The final straw was the city's refusal to renew a five-year agreement that had



The Morton K. Blaustein City Life Exhibition Center opened in April 1996.

provided BCLM with \$837,000 annually since 1992 to supplement its \$2-million annual operating budget. Five years ago, museum officials had assured Mayor Kurt L. Schmoke's administration that BCLM would be fiscally independent by June 1997. But by late 1996, the board was asking the city for an additional \$1.6 million. Schmoke promised to provide \$1 million if trustees could raise an equal amount privately. But BCLM ran out of operating funds during the fund-raising process. "The City Life board is closing temporarily while they retreat to work it out among themselves," Clint Coleman, the mayor's spokesman, told *The Washington Times*. "This can turn into an opportunity rather than a disaster. We could emerge from this with a much

healthier, much more viable situation on our hands."

Some individuals in the Baltimore museum community are far less optimistic. They see the BCLM crisis as part of a growing trend toward overestimating a museum's revenue-generating capacity under pressure from local governments demanding greater fiscal independence from nonprofits. "This was a train wreck that nobody could stop," says one senior-level museum professional who asked not to be named.

BCLM's need for city and private funds could not have come at a more inopportune time. Recently the mayor's office announced severe cutbacks in its subsidies to the city's 58 cultural attractions. A portion of funds was later restored to a few organizations, including the Baltimore Museum of Art and the Walters Art Gallery (which nevertheless has had to cut back hours and cancel some free programs). But the mayor's fiscal 1997 budget, which cuts the city's arts funding in half, eliminates subsidies for many other Baltimore museums, including the Museum of Industry and the Maryland Historical Society (MHS). "The problems BCLM is facing now are similar to those faced by many city museums," says MHS Director Dennis Fiori. "The basic problem is that municipalities are being squeezed financially and are very interested in privatization. There are a large number of museums in Baltimore; all are conducting a very aggressive search for money. It's very hard for a new institution to come in and raise \$800,000 or \$1 million."

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sell part of the collection to raise the needed funds, Fiori offered MHS's assistance. "Our mission is to preserve the state's history, and Baltimore's history is an important part of [that] history," he says. "We were concerned that the collections might be sold elsewhere. We met with the board, not knowing the extent of the situation, to see how we could help." The result was an offer from MHS to help the museum create a management company that would oversee operations at BCLM while a long-term plan was developed. However, "the situation had eroded to such a point, that it was too big a task for us to take on," Fiori says. The BCLM board then determined that, because operating funds were so limited and further options would take time to explore, the best course of action was to close the museum.

Even before the Blaustein center was completed, BCLM was operating with a deficit. According to former Director John Durel, the board voted to build the new site even though it hadn't raised all the necessary funds. "It was sort of a 'if you don't move forward, you'll never move forward' situation," he says. "But the fund raising fell short. That in turn complicated operations; we had to try to fund the debt." According to Durel, museum officials envisioned that the exhibition center would attract a large number of visitors from the city's popular Inner Harbor. They projected an annual visitation of 100,000, believing that the resulting admission fees would help balance BCLM's budget. But in the year before it closed, only 45,000 people visited the museum.

Located a few blocks from the Inner Harbor, BCLM's main campus sits near the Columbus Center, a marine biotechnology museum and research institution, and the forthcoming Port Discovery: The Children's Museum in Baltimore, due to open in November 1998. BCLM's officials had banked on the fact that the neighborhood would be revamped as a tourist destination. But things moved much more slowly than expected, says Durel. For one, a nearby public housing complex has not yet been renovated. And, he says, "the Columbus Center was supposed to open with us, and only opened this year. The children's museum is a [year] away." According to Durel, (Please turn to "City Life Crisis," page 58)

Two If By Sea

How do you increase your collections seven-fold and your potential visitorship by a factor of more than 100 without adding a single square foot of new space? Form the National Maritime Museum Initiative (NMMI). The South Street Seaport Museum in New York and the Mariners' Museum in Newport News, Va., announced in June an alliance of the two museums that will create the most significant and comprehensive maritime collection in North America.

The alliance is especially noteworthy as a model of institutional partnering. Not a corporate merger but a "programmatic merger," the initiative will create a series of collaborative ventures that will allow each museum to maintain its institutional identity and autonomy while enhancing different areas of its operations. No new buildings, no new staff, but a new concept that will strengthen the two museums in different ways—collections and visitorship.

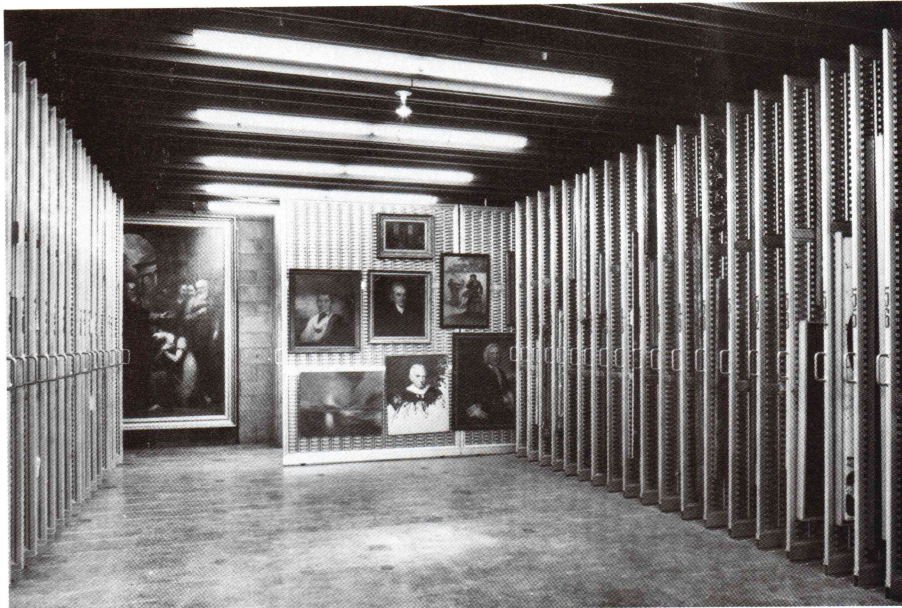
The Mariners' Museum, founded in 1930, has a renowned collection of 35,000 maritime artifacts and a 75,000-volume research library and archives, along with extensive photographs and other archival material. South Street Seaport Museum, founded in 1967, is less rich in maritime art and artifacts, but has the advantage of its lower Manhattan location, where more than 12 million people annually visit the South Street Seaport Historic District. The new alliance permits Mariners' Museum President and CEO John B. Hightower to speak of "reach[ing] a larger national audience," while Peter Neill, president of South Street Seaport, notes that "the combined collections . . . will be the largest and most compelling" in North America.

The key to making NMMI work, according to Neill, is the term "alliance." "Mergers are dangerous things," says Neill. "Corporations are put together every legal way possible, except that corporate culture doesn't always work." The NMMI keeps each museum's governance structure intact, as is required, in fact, in the museums' charters. Budgets will remain unchanged for the present, although there is cautious optimism that the new "national" tag might enhance fund-raising efforts. Both museums are

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in the process of major physical and programmatic expansions.

The idea for the initiative came from a trustee, says Neill, who was "very entrepreneurial. He saw the thing in business terms. But the undeniable power of the idea took hold in the minds of the presidents and board chairs." The whole initiative took about six months to work out, a remarkably brief time for such a move. "The board leadership was there," says Neill. "It wasn't a slam dunk, but there were no significant pockets of dissension, either." A 10-member steering committee, including the presidents and board chairs of the two museums, will implement the initiative.

One sticking point was whether the term "national" might be seen by colleagues as presumptuous. "We asked ourselves, was it too ambitious, was there an honest rationale?" The consensus was that the depth of the combined collections and the access to the public and media through the New York location justified the term.

Then, too, there is the mission of NMMI, which Neill and Hightower both see as primarily educational. Neill speaks of feeling "despair over the state of public understanding of history in our country." The alliance, he believes, will make both institutions "more dynamic advocates of the meaning of maritime and social history . . . capable of more dramatic assertions in the public dialogue." A first collaborative exhibition, "Trans-Atlantic Slavery: Against Human Dignity," is slated for a national tour in 1999.

"There is a lot of talk about collaboration in the museum profession," says Neill, although most of it he characterizes as "lip-service." When it does happen, financial pressure is often the motivator, he says, "a function of the triage of diminishing resources." NMMI, he claims, is different. "We're being proactive, not reactive. We're moving ahead in a creative way with a strategic attempt at enhancing ourselves. I believe that's something facing cultural institutions all over the country."—*John Strand*

Wheel of Misfortune

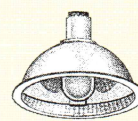
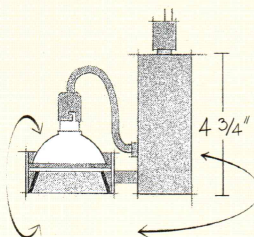
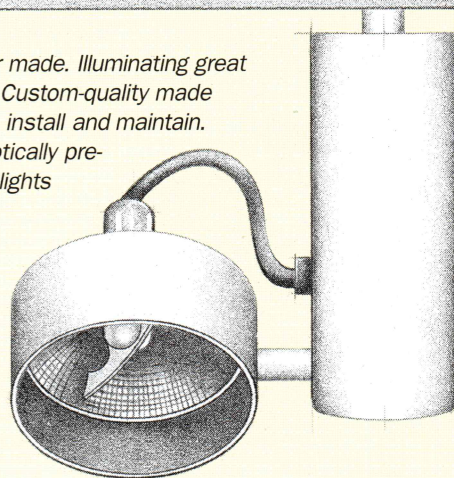
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Why a wheel? A front-line observer of the destruction that spring flooding brought to the Midwest, Joan Gorman, senior paintings conservator at the Upper Midwest Conservation Association in Minneapolis, observes that the first 48 hours following a disaster are critical for saving damaged items. Having an easy-to-use tool with professional guidelines can help. "The conservation field has a voluminous amount of information," said Gorman. "This wheel is brilliant; it's concise, simple, and clear. Instead of going through a 200-page manual you simply dial up [the needed information on] the wheel."

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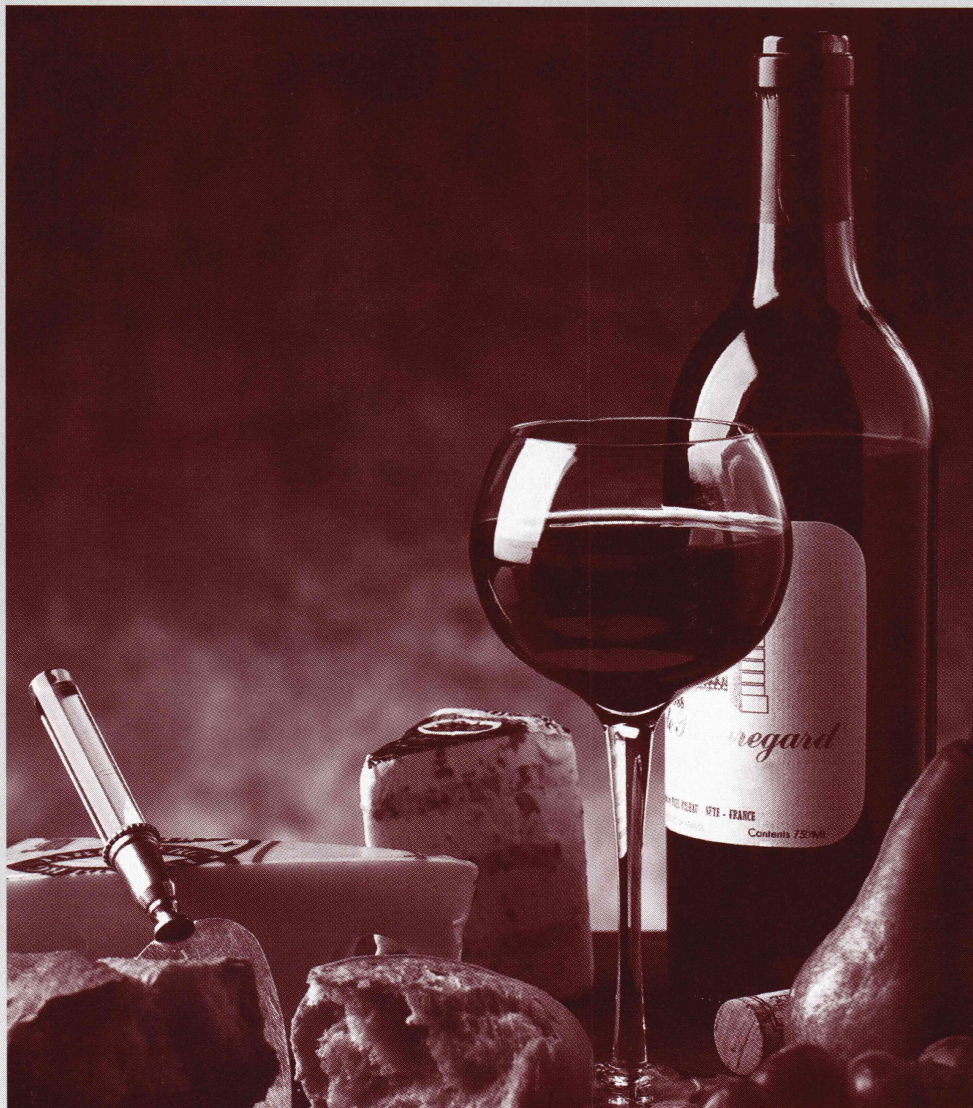
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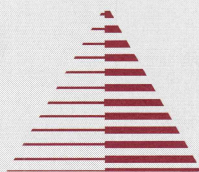
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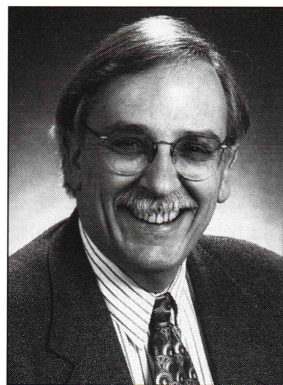
People

Joseph Chang to associate curator of Chinese art, Arthur M. Sackler Gallery and Freer Gallery of Art, Smithsonian Institution, Washington, D.C.

Carol Enseki to executive director, and **Lauree Hickok** to director of external affairs, Brooklyn Children's Museum.

Dennis Kois to assistant to the chief designer, Metropolitan Museum of Art, New York.

Cheryl Taylor to executive director, Northern Indiana Center for History, South Bend.



Don Drake to bureau chief, State Historical Society of Iowa, Iowa City.

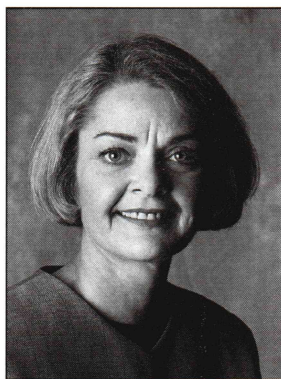
A.T. Stephens to director, Alexandria Black History Resource Center, Alexandria, Va.

Joachim Pissarro to Seymour H. Knox, Jr., curator of European and contemporary art, Yale University Art Gallery, New Haven, Conn.

Sally Morse Majewski to director of marketing and development, and **Sharon Duane Koomler** to curator, Hancock Shaker Village, Pittsfield, Mass.

Philippe Vergne to visual arts curator, **Philip Bither** to performing arts curator, and **Kellie Jones** to associate curator, Walker Art Center, Minneapolis.

Dennis Anderson to exhibitions manager, Massillon Museum, Massillon, Ohio.



Carey T. Caldwell to chief curator of history, Oakland Museum of California, Oakland.

Maurice Bois, Jr., to director of operations, New England Aquarium, Boston.

Robin L. Iten to education coordinator, Peninsula Fine Arts Center, Newport News, Va.

Elizabeth Knowles to supervisor of museum education programs, Mystic Seaport Museum, Mystic, Conn.

Kenneth W. Townsend to executive director, National Cowboy Hall of Fame, Oklahoma City.

Judith Dressel to collections manager, the Charles Hosmer Morse Museum of American Art, Winter Park, Fla.

George Anton Moroz II to development team leader, **Terri L. Anderson** to team leader of retail sales and product development, **Leo Landis** to curator of agriculture, and **Margarite Fourcroy** to senior development unit leader, Henry Ford Museum & Greenfield Village, Dearborn, Mich.

Alexandra Rasic to assistant public programs manager, the Homestead Museum, City of Industry, Calif.

Susan E. Kowalczyk to collections manager/registrar, International Museum of Ceramic Art, Alfred University, Alfred, N.Y.

Hope Alswang to chief executive officer and executive director, Shelburne Museum, Shelburne, Vt.

Phyllis Rabineau to deputy director for interpretation and education, Chicago Historical Society.

Aprile Gallant to curator of prints, drawings, and photographs, Portland Museum of Art, Portland, Maine.



Gwendolyn K. Crider to president and executive director, SciTrek, the Science and Technology Museum of Atlanta.

Carolyn Brackett to public relations and marketing director, The Hermitage, Hermitage, Tenn.

Christopher Abood to director of marketing and public relations, **Beth Bowden** to assistant director of marketing and public relations, **Valence Davillier** to director of exhibits, **Teddi Peplin** to assistant director of finance, and **Troy Kistler** to manager of the Science Store, Great Lakes Science Center, Cleveland, Ohio.

Nancy Gibson Tuckorn to public relations specialist, and **Anita Van Harken Cater** to curator of education, DAR Museum, Washington, D.C.

Ellen K. Moore to assistant director of education, Phoenix Museum of History.

Van Shields to director of the Museum of York County, Rock Hill, S.C.

Thomas Rhodes to executive director, North Carolina Transportation Museum, Spencer.

Devon Pyle-Vowles to collections manager, Adler Planetarium & Astronomy Museum, Chicago.

Obituaries

Harrison Eiteljorg, founder of the Eiteljorg Museum of American Indians and Western Art, died on April 29, 1997. He was 93 years old. Eiteljorg traveled to the West in the 1940s, and developed an appreciation for the land, the people, and their artwork. His collection was the nucleus of the Eiteljorg Museum, which opened in downtown Indianapolis in 1989.

John C. Ewers, one of the first directors of the Smithsonian Institution's National Museum of American History, died May 7, 1997, at age 87. He had a heart ailment. Ewers helped to plan NMAH (then called the Museum of History and Technology), and was named its director in 1964. Previously, Ewers was a curator at the National Park Service and at the Museum of the Plains Indians, Browning, Mont.

Russell Alan Booth, ship manager for the National Maritime Museum Association in San Francisco, died on June 15, 1997, after a stroke. He was 50 years old. Booth restored the NMMA's WWII submarine *USS Pampanito*, which was named a National Historic Landmark in 1986. He also served as president of the Historic Naval Ships Association of North America. **M**

Please send personnel information to Jennifer Huergo, Associate Editor, Museum News, AAM, 1575 Eye St. N.W., Suite 400, Washington, DC 20005.

Calendar

Treasures from Tervuren: Selections from the Belgian Royal Museum for Central Africa

Between 1897 and 1960, the Democratic Republic of Congo (formerly Zaire) was under Belgian control. In 1898, King Leopold II founded the Royal Museum of the Belgian Congo in Tervuren, Belgium, to familiarize his people with the region and promote trade and economic opportunity. From its beginnings, the Tervuren Museum collected and researched the fields of cultural anthropology (art, archaeology, linguistics, and music) and natural science (botany, geology, and zoology). Civil servants, missionaries, and the museum's scientists contributed to the collection of 250,000 ethnographic objects. "Treasures from Tervuren," the museum's first major exhibition outside of Belgium, presents more than 125 central African objects including royal regalia, a figurative coffin, masks, and sculpted figures representing kings and chiefs.

Through October 19, 1997:
National Museum of African Art, Smithsonian Institution, Washington, D.C.

*November 9, 1997-
January 25, 1998:*
Kimbell Art Museum, Fort Worth, Tex.

February 21-April 19, 1998:
M. H. de Young Museum, San Francisco

May 22-August 11, 1998:
Museum for African Art, New York

September 11-November 29, 1998:
Saint Louis Art Museum

*December 19, 1998-
March 14, 1999:*
Art Institute of Chicago



Mark Catesby's Natural History: The Watercolours from the Royal Library, Windsor

English naturalist Mark Catesby's *The Natural History of Carolina, Florida, and the Bahama Islands* (1731-1743) was one of the earliest illustrated books about the flora and fauna of North America. Catesby based the 220 illustrations in the book on drawings he made during expeditions to Virginia and Jamaica from 1712 to 1719, and the Carolinas and the Bahamas from 1722 to 1726. Naturalists and artists consid-

ered the book the definitive source of information about North American animals and plants until the early 19th century. This exhibition organized by the Royal Library at Windsor Castle and the Museum of Fine Arts, Houston, presents the 263 watercolors Catesby created during his expeditions. Also on display are copies of Catesby's *Natural History* and scientific books he consulted while preparing his illustrations.

Through November 9, 1997:
Museum of Fine Arts, Houston
*November 20, 1997-
February 15, 1998:*

Colonial Williamsburg,
Williamsburg, Va.

March 1-May 10, 1998:
Telfair Museum, Savannah, Ga.

The Jazz Age in Paris, 1914-1940

During the 1920s and '30s, thousands of American musicians, artists, and writers descended on Paris, which became a center of personal and artistic freedom in the years after World War I. These American expatriates, including many African Americans, either had served in the armed forces during the war and decided not to return home, or moved to Paris because of its cordial racial and artistic climate. The Americans introduced new art forms to France, including jazz, which the Parisians adored. The Smithsonian Institution Traveling Exhibition Service (SITES) organized this exhibition, which examines such subjects as ragtime music, cabaret life and café society, and changing social and artistic developments during the 1930s. Free-standing kiosks, similar to those Parisians used to post flyers for concerts and events, present the stories of eight "Jazz Age" personalities, including Josephine Baker, James Reese Europe, and Ada "Bricktop" Smith.

January 24-April 5, 1998:
Miami-Dade Public Library System, Miami

April 25-July 5, 1998:
Birmingham Civil Rights Institute, Birmingham, Ala.

July 25-October 4, 1998:
California African-American Museum, Los Angeles

April 24-July 4, 1999:
Museum of Texas Tech University, Lubbock



Marsden Hartley: American Modern

Marsden Hartley (1877-1943) was part of the influential avant garde surrounding Alfred Stieglitz, a group that included artists John Marin, Georgia O'Keeffe, and Arthur Dove. Until the age of 40, Hartley was dedicated to the ideals of American transcendentalists, who advocated a reliance on spiritual intuition. After the First World War, Hartley reversed his philosophical ideology, saying that "real art comes from the brain, not the soul," but towards the end of his life he returned to a passionate belief

in the subjective self. Hartley's last patron, art dealer Hudson Walker, donated his collection of the artist's work to the University of Minnesota's Frederick R. Weisman Art Museum, Minneapolis, which organized this exhibition of more than 50 works. The retrospective examines the changes in Hartley's paintings, his ideological vacillations, and the cultural transformations that occurred in the United States after the First World War.

Through December 14, 1997:
Palmer Museum of Art, Penn State University, University Park, Pa.

January 11-April 23, 1998:
Portland Museum of Art, Portland, Maine

May 23-August 2, 1998:
Frederick R. Weisman Museum of Art, Pepperdine University, Malibu, Calif.

October 5-December 20, 1998:
Newcomb Art Gallery, Tulane University, New Orleans

January 22-March 7, 1999:
Fred Jones Jr. Museum of Art, University of Oklahoma, Norman

April 11-June 20, 1999:
Parrish Art Museum, Southampton, N.Y.

August 15-November 21, 1999:
Memphis Brooks Museum of Art, West Palm Beach, Fla.

January-March, 2000:
Norton Museum of Art, West Palm Beach, Fla.

April 11-June 18, 2000:
McNay Museum of Art, San Antonio, Tex.

A Grand Design: The Art of the Victoria and Albert Museum

London's Victoria and Albert Museum is the largest museum of decorative arts in the world, with works dating from the 15th century to the present. More than 250 items

from the collection are on display in this exhibition, including ceramics, furniture, sculpture, photography, woodwork, fashion, painting, and textiles. In addition to providing a survey of the museum's vast collection, "A Grand Design" documents how the collection was formed, how acquisition policies changed over time, and how the museum evolved from the South Kensington Museum, established in 1852, to the Victoria and Albert Museum of today. The exhibition was organized by the Baltimore Museum of Art in association with the Victoria and Albert Museum.

October 12, 1997-January 18, 1998:
The Baltimore Museum of Art

February 25-May 17, 1998:
Museum of Fine Arts, Boston

June 20-September 13, 1998:
Royal Ontario Museum, Toronto, Canada

October 18, 1998-January 10, 1999:
The Museum of Fine Arts, Houston

February 13-May 9, 1999:
Fine Arts Museums of San Francisco

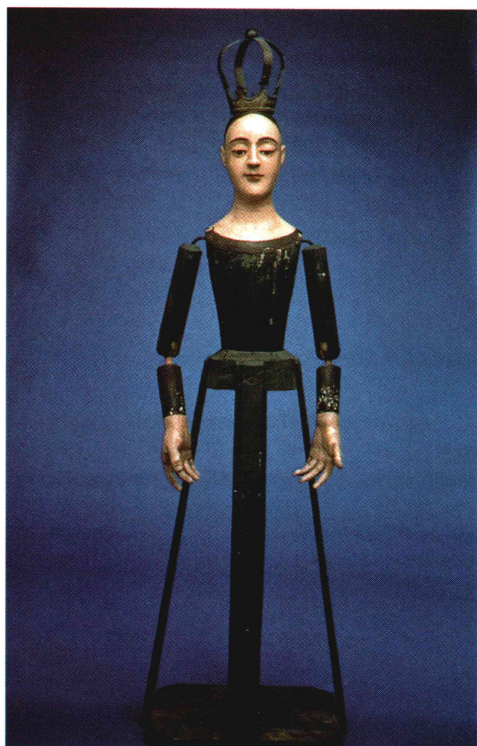
October 1999-January 2000:
Victoria and Albert Museum, London



Opposite: This *Mpungu* figure from the Congo protected its owners from harm. Photo by Roger Asselberghs.

Above: Marsden Hartley, *Portrait*, c. 1914-15.

Right: Vivienne Westwood designed these punched leather, "mock croc," platform shoes, on display in "A Grand Design."



Standing Virgin,
18th century, by an
unknown Mexican
artist. From "El Alma
del Pueblo."

El Alma del Pueblo: Spanish Folk Art and its Transformation in the Americas

Centuries-old folk traditions are a part of everyday life in Spain, evident in traditional dances, ceremonial breads made to celebrate weddings, and votive paintings honoring the saints. "El Alma del Pueblo," which translates as "the soul of the people," depicts the role of folk art in Spain from the 16th century to the present and traces the influence of these traditions in Latin America and Latino communities in the United States. The 300 objects on display include household altars from Puerto Rican neighborhoods in New York, glazed pottery from Mexico, and giant processional figures from Antigua. Photographs and labels written in English and Spanish document the objects' ceremonial, utilitarian, and recreational purposes. The exhibition, organized by the San Antonio Museum of Art, also identifies other influences on American folk art, including African, Asian, and Native American traditions.

October 17, 1997-January 4, 1998:
San Antonio Museum of Art, Tex.

January 23-March 20, 1998:
Art Museum of Florida International University, Miami

April 24-August 2, 1998:
Tucson Museum of Art, Ariz.

September 15-December 31, 1998:
The Spanish Institute and Americas Society, New York

January 23-April 4, 1999:
Chicago Cultural Center

May 3-July 25, 1999:
Crocker Art Museum, Sacramento, Calif.

August 28-October 31, 1999:
San Diego Museum of Art

An American Tradition: The Pennsylvania Impressionists

In the early years of the 20th century, as Picasso, Braque, Matisse, and others were developing cubism and fauvism in Europe, the U.S. public turned its attention to American artists. Pennsylvania's Impressionists, in particular, achieved nationwide fame; critic Guy Pène

du Bois called their work America's "first truly national expression." This exhibition organized by the Westmoreland Museum of American Art in cooperation with Beacon Hill Fine Art, New York, presents paintings by artists such as Daniel Garber, Edward Redfield, John Folinsbee, Walter Schofield, and William Lathrop. Abandoning the urban scenes and industrial subjects of the Ashcan School (active during the same period), these artists focused on the landscape, which most of them painted *en plein air*, similar to the French Impressionists.

October 5-November 30, 1997:
Florence Griswold Museum, Old Lyme, Conn.

December 14, 1997-February 22, 1998:
Dixon Gallery and Gardens, Memphis, Tenn.

March 28-May 10, 1998:
Gibbes Museum of Art, Charleston, S.C.

June 6-August 15, 1998:
Woodmere Museum of Art, Philadelphia

Re-Aligning Vision: Alternative Currents in South American Drawing

Between 1960 and 1985, the economic and political conditions in many South American countries placed limits on the kinds of activities in which artists could engage. Prolonged periods of authoritarian rule significantly affected the production, distribution, and dissemination of art. Due to the low cost and transportability of paper, drawing became the preferred medium of expression for many artists. This exhibition organized by the Archer M. Huntington Art Gallery documents how South American artists expanded definitions of drawing by

using both traditional materials, such as charcoal, ink, and pencil, and unconventional ones, such as marble, wood, and wire. Many of the works on display have never before been seen in the United States.

Through September 7, 1997:
El Museo del Barrio, New York

October 3-November 14, 1997:
Arkansas Art Center, Little Rock

January 16-March 8, 1998:
Archer M. Huntington Art Gallery, University of Texas, Austin

Tropical American Rain Forest

The Tulsa Zoo and Living Museum has constructed an environment based on the rain forests of Central and South America. More than 3,100 plants of 250 varieties and nearly 500 animals representing 100 different species are a part of the 15,000-square-foot exhibit, which is enclosed by a gigantic glass dome. The exhibit depicts the fragility of the ecosystem and presents animals protected by the Species Survival Plan, developed in 1981 by the American Zoo and Aquarium Association to protect threatened and endangered species. Animals in the zoo's rain forest environment include howler monkeys, scorpions, Jamaican fruit bats, a two-toed sloth, and a green anaconda. Visitors can tour recreated ruins and learn about the Incan, Mayan, Olmec, and Aztec cultures from pictographs, sculptures, and stelae—large carved, stone "story boards" that chronicled a king's life or an important event.

Permanent installation:
Tulsa Zoo and Living Museum, Okla. **M**

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Stephane Berger/NYT Pictures

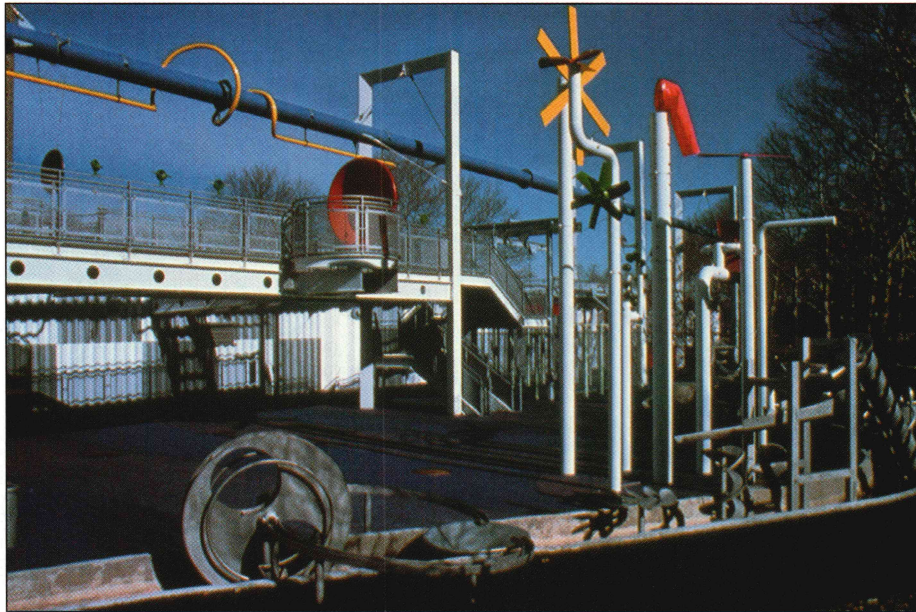
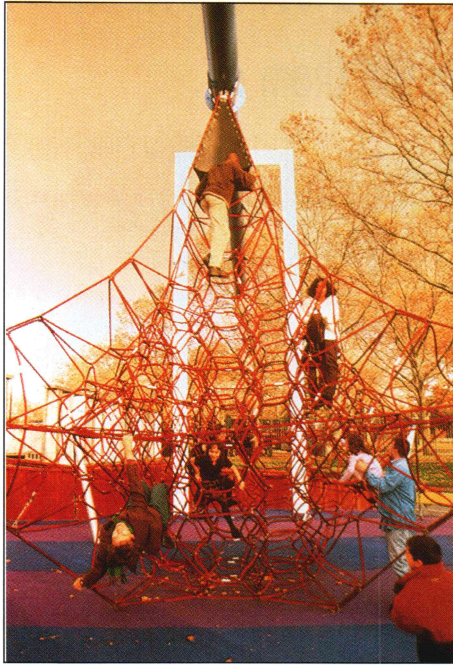
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Noteworthy



Visitors to the Science Playground can climb the 12-foot Space Net, create a whirlpool in a tube, or experiment with wind and sound. Photos by Robert Essel (left) and Beth Weinstein (right and below).

The **New York Hall of Science** has opened Science Playground, a 30,000-square-foot outdoor exhibit that demonstrates the scientific principles of movement, the wind and sun, sound, and simple machines. It was inspired by a playground in Ahmedabad, India, seen by Hall of Science Director Alan J. Friedman when he visited the country to view a solar eclipse. Designed for adult-supervised children ages 6 and older, the playground features 24 pieces of play equipment, an outdoor dining area, a landscaped park, and a 6-inch-thick rubber surface. Visitors can balance on a giant seesaw that seats from two to 20 people at a time, manipulate cranes and davits in the construction zone, or use mirrors to convert sunlight into electrical energy. They can compose a tune with their feet on the “sound steps,” or speak into a “whisper dish” and communicate with a friend on the other side of the playground. Designers BKS/K Architects also created a giant pinball machine that teaches kids about the properties of gravity, inertia, and mechanics.

Architect Edward B. Green's original plans for the **Dayton Art Institute**, Ohio, were for an octagonal building, but because of construction costs only five sides were finished at the museum's opening in 1930. In June the museum reopened after a \$17-million construction project that completed the building's other three sides. The renovation also revamps 90,000 square feet of existing space and adds an entrance rotunda and three new wings, including the Experientcenter, an interactive space for families. Designed by Dayton-based Levin-Porter Architects, the renovated museum includes new heating, ventilation, and cooling systems; redesigned lighting in the galleries; and state-of-the-art security and fire protection systems.

The **Leigh Yawkey Woodson Art Museum**, Wausau, Wis., has completed a \$2-million

construction and renovation project, under development since late 1994. A new entrance and welcome center improve accessibility and allow for larger group tours. The renovation also expands the family exploration gallery, a place for reading and art activities, and doubles the size of the lecture space. Other features include state-of-the-art storage systems, a rebuilt loading dock, and upgrades to the mechanical systems. Designed by the Zimmerman Design Group, the museum's new areas reflect the Tudor-revival style of the original building.

The **Yorktown Victory Center**, Yorktown, Va., has opened a one-and-a-half story family dwelling, the final component of its re-created farm. The wood house is similar to those built in the Chesapeake Bay region during the 1700s. It measures 16' x 20',

consists of one room, a sleeping loft, and a root cellar, and displays artifacts relating to 18th-century rural family life. Visitors can observe staff demonstrating agricultural practices, animal husbandry, food preservation, and the process of making cloth. Other features of the farm, which has been under construction since 1990, include a separate kitchen building, a tobacco barn, crop fields, a vegetable garden, and a forge.

The **Portland Art Museum**, Portland, Oreg., has redesigned four galleries in the Hirsch Wing to house its East Asian art collection. Three of the new spaces reflect the architecture of Japan, China, and Korea, the areas in which the museum's Asian art collection is strongest. A fourth gallery displays exhibitions that highlight common aspects of the three cultures. Encompassing nearly 4,500

square feet, these galleries will serve as design prototypes for the annexation and renovation of the Hoffman Wing, scheduled to open in 1998.

This summer the **Museum of Science and Industry**, Chicago, reopened "Coal Mine" after a three-month renovation project. This exhibit, which opened in 1933, was designed to recreate a working coal mine. The \$1-million renovation was funded by the Marmon Group, an international association of manufacturing and service companies. "Coal Mine" now includes a geology-based display that demonstrates how a plant is transformed into coal and a state-of-the-art, above-ground safety control room that monitors gas and electricity levels. Other features include improved lighting and ventilation systems, enhanced special effects, and modern mining equipment. **M**

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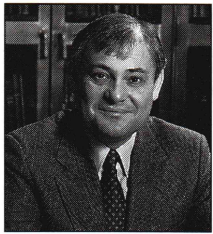
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Dr. Abraham J. Peck, Executive Director, Holocaust Museum Houston



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Established as both an educational center and a memorial, the 18,000 square foot Holocaust Museum Houston opened its doors last year—a living testimonial to those who perished in the Holocaust, a place of honor to those who survived and a source for education for now and future generations.

Holocaust Museum Houston’s primary purpose is serving as a vast educational resource for the Southwest region’s

secondary schools. Unique in its presentation of Holocaust information, its permanent exhibit, “Bearing Witness: A Community Remembers” focuses on the lives of Texas survivors and their families.

By personalizing the tragedy through this focus on friends and neighbors, the Museum quietly goes forward in pursuit of its mission—“to teach that human-kind must live together in peace and harmony.”

Maltbie Associates is pleased to have been responsible for Holocaust Museum Houston’s interior elements including architectural steel, artifact cases, audio visual enclosures, photo murals, graphic content and for on-site installation.

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Bearing Gifts

BY CHARLES K. STEINER

Gifts of the Spirit: Works by Nineteenth-Century and Contemporary Native American Artists. By Dan L. Monroe, Richard Conn, Richard W. Hill, Sr., and Suzan Shown Harjo. Salem, Mass.: Peabody Essex Museum, 1996. 239 pp., cloth. \$50.00.

By accident or design, *Gifts of the Spirit: Works by Nineteenth-Century and Contemporary Native American Artists* posits a number of important questions for museum professionals: What is the proper role of an exhibition catalogue? Must it always serve as a permanent record of an exhibition? Can such a catalogue assume a life of its own (independent from an exhibition or collection) and still be one whose worth is measured not in the knowledge it disseminates, but rather by the emotional and aesthetic experience it evokes for the reader? In selecting objects, what constitutes quality and beauty? And if we accept that different civilizations have different standards for measuring these two attributes, by whose standards do we, as museum professionals in a multicultural American society, organize our programs and exhibitions? Finally, what is the role of the “testimonial” or self-designated representative voice, and to what extent can we assume that it typifies a group of people or even an entire culture? These questions are not unique to any one artistic philosophy or art form. They may be employed when one reads any publication accompanying an artistic activity by a well-defined population, such as a news article reporting on white men who take off their shirts and go out in the woods to beat their chests, a program for a gay men’s choir performance, or a gallery catalogue accompanying an exhibition of art by women of color.

And they are the questions that arise when one reads *Gifts of the Spirit*, a lavishly produced book that accompanied a recent exhibition of 19th-century and

contemporary Native American art, displayed at the Peabody Essex Museum, Salem, Mass., from Nov. 14, 1996, to May 18, 1997. The historical works were chosen from the museum’s collection of over 20,000 objects, the selection made on the basis of their aesthetic value, while the contemporary works were chosen for their “quality” and relationship to the other works included in the project,

of the genre. He summarizes the prevailing approaches in past scholarship: by function or culture rather than by aesthetic qualities; by tribe or region rather than by individual artist; as scientific specimens different from white culture rather than as evidence of inherent Indian traditions; as static forms that are handed down unchanged from generation to generation rather than evolving



Moccasins designed by a 19th-century Micmac artist. From *Gifts of the Spirit: Works by Nineteenth-Century and Contemporary Native American Artists*. Photo by Markham Sexton.

writes Executive Director and CEO Dan L. Monroe. The book is organized as a collection of essays by four of the exhibition’s five curators and a six-part catalogue of photographs and captions. The catalogue chapters are introduced unusually, with a series of small—very small, approximately 2” x 1 1/2”—black-and-white photographs of individual objects, each documented by a descriptive caption. Each chapter ends with paired sets of full-page or nearly full-page color reproductions, which duplicate some of the images that appear earlier.

Monroe’s brief and invaluable historiography of the study of Native American art sets the stage for this reconsideration

forms that have responded through the years to a variety of influences including Western European or “white” civilization. Presenting the reader with some 200 works made by Native Americans, *Gifts of the Spirit* tries to break away from these traditional frameworks in which scientists, missionary-collectors, and museum curators have documented Indian art. It seeks instead to portray these objects as tangible, aesthetic reflections of both individual artists and an evolving visual art movement based in an increasingly multicultural society.

The predominant concern of the catalogue’s authors is on coupling the old with the new, in an effort to overcome

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the fallacy that Native American culture and art ceased development in the 19th century. The curators want the reader to realize that a responsive art movement lives on to the present day, one that is intimately related to what has come before as well as to selective influences from the 20th-century world. The curators/authors have attempted dramatically to make this point by including two essays by self-identified Native Americans and by pairing color reproductions at the end of each chapter, creating what one might call "visual dialogues" between objects.

Richard W. Hill, Sr., one of the Native American essayists, echoes many of Monroe's themes by focusing on beadwork as an artistic discipline. By emphasizing the symbolic role that beaded works of art have played through generations of his own family as well as providing a history of the medium, Hill joins Monroe in promoting the ongoing vitality of Indian art: "I also identify with the beadwork on a personal level because I have sewn beadwork myself. I know what it takes to conceive of art in beads and what it takes to make it happen. Beadwork has been a

way in which I manifest my own thoughts about myself. Therefore, I see myself in these older pieces. Through beadwork, I have been able to connect to my predecessors by taking what they have started and making it anew for my generation."

The use of paired documentary photographs at the conclusion of each chapter attempts to underscore the same emphasis on experimentation and individual expression by matching old with new—19th-century beaded moccasins by an unidentified Micmac artist and a 20th-century beaded portrait of pop singer Janet Jackson by Marcus Amerman (Choctaw); old with old—a late 18th- or early 19th-century knife sheath and a mid-19th-century horse whip by two unidentified Lakota artists; and new with new—a 20th-century peyote rattle by Lutz Whitebird (Tsistsistas or Cheyenne) and a 20th-century peyote fan by Jack Malotte (Western Shoshone). Unfortunately, the pairings don't always work. Consequently, the clarity of purpose created by the essayists is lost as the reader tries to second-guess the curators' criteria for matching one particular documentary

photograph with another. *The Portrait of Janet Jackson*, for example, is undoubtedly a technical feat of beadwork, and is indicative of a Native American artist assimilating popular contemporary culture. However, as an emotive work of art, it simply does not compare in quality to the moccasins or to any of the 19th-century material in the exhibition, for that matter. So what are the curators trying to prove? Does evidence of cultural assimilation supersede evidence of visual quality? The curators are saying yes in this case. This begs the larger question of what constitutes quality in evaluating works of art by Native Americans. Is technique or an artist's ethnicity enough, or are there other criteria?

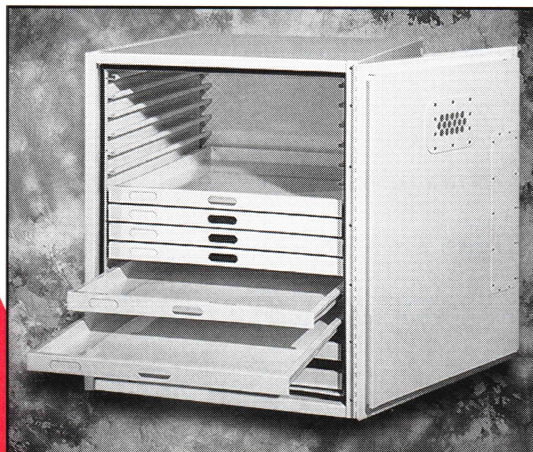
For the most part, the pairings appear to have been made on the basis of traditional formalist concerns. The aforementioned moccasins and portrait are of similar media; the knife sheath and horse whip are both elongated in form and share similar materials; visually, the peyote fan could be interpreted as a two-dimensional variation on the three-dimensional form of the peyote rattle.

(Please turn to Books, page 50)

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Object ID Ready for Use

BY HELEN WECHSLER

A painting is stolen from your museum. What is the minimum amount and type of information you'll need to notify the appropriate parties—law enforcement, your insurance company, an art loss registry, auction houses? Certainly you will want to include the measurements and subject of the painting. But should you also mention that your painting was from the Hudson River School? What will the average police officer do with that information? Probably ask why you are claiming ownership when the painting belongs to a school named for the Hudson River.

Those were some of the many questions that faced the Getty Information Institute four years ago when it began to search for a "core standard" of documentation information for the wide variety of players in the international cultural property game. With an increase in illicit trade in cultural objects and a corresponding rise in public awareness of the problem, the Getty Information Institute and a group of organizations—including the Organization for Security and Co-operation in Europe, the United Nations Educational, Scientific, and Cultural Organization (UNESCO), the Council of Europe, the International Council of Museums (ICOM), the United States Information Agency (USIA), and the Getty Conservation Institute—concluded that there is a need for such a documentation standard, and it is, indeed, one of the most practical ways to fight the problem of illicit traffic.

The project, called Object ID, acknowledged two basic truths of cultural property loss and recovery: One, an object must be documented in order to be identified and returned to its owner; and two, the information about the object must travel faster than the object itself. The final product, a form called the Object ID Checklist, was unveiled in May 1997 at a conference in Amsterdam sponsored by the Getty Information Institute (see pages 27-28). Present at the meeting were representatives from the cultural heritage community (including museums), law enforcement, the art trade, appraising bodies, the insurance industry, and national customs agencies.

The Getty Information Institute sought con-

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Its creators hope that, in the case of theft, the core information in a museum's database will be transmitted electronically to local police or the FBI and from there to international law enforcement agencies—all before the stolen object leaves the country.

.....

tributions from these diverse voices to create a core standard that would be broadly accepted, practical, and easy to use. Through a series of interviews, surveys, and roundtable meetings, the institute determined the standards currently used by these communities and where the commonalities lay. Because information needs vary among these sectors, it was critical to build a consensus. Each community added to the process. The conservation community, for example, added the category of "distinguishing features" to the checklist, reasoning that providing a photographic image alone can be problematic in cases where a series of similar objects exist. In addition, general descriptions may not provide enough information to distinguish one of a multiple edition or copies from originals.

Cut out and use the checklist on the following pages to record information about stolen objects. The Object ID Checklist calls for nine categories of information, a photograph, and a short description. It represents a minimum standard, not an alternative to existing standards. To ensure broad implementation, it was designed for use with traditional non-computerized inventories as well as sophisticated computer databases. However, with the increase in digital information technology and computer networks, its creators hope that, in the case of theft, the core information in a museum's database will be transmitted electronically to local police or the FBI and from there to international law enforcement agencies—all before the stolen object leaves the country.

While areas of discord among the various groups represented at the Amsterdam meeting remain (cultural heritage activists and antiquities dealers rarely see eye-to-eye), at least there was agreement on the Object ID Checklist. The meeting ended with a session devoted to brainstorming on implementation methods. The AAM/ICOM Board of Directors has endorsed Object ID, and AAM has pledged to disseminate the standard to its members. ■

Helen Wechsler is senior manager, International Programs and AAM/ICOM.

INTRODUCING OBJECT ID

What is Object ID?

Object ID is an international standard for describing art, antiques, and antiquities. It has been developed through the collaboration of museums, cultural heritage organizations, police and customs agencies, the art and antiques trade, appraisers, and the insurance industry.

Why use Object ID?

A stolen object is unlikely to be recovered and returned to you unless it has been photographed and adequately described. The Object ID checklist helps you provide the information needed to identify an object as yours.

How do I use Object ID?

Object ID is easy to use. Just follow the checklist on the back of this page and try to answer as many of the questions as possible.

Where can I find out more about Object ID?

For more information about Object ID, write to:

Object ID

Getty Information Institute
1200 Getty Center Drive
Los Angeles, California 90049-1681
USA

Or visit: www.gii.getty.edu/pco

Credits:

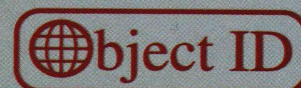
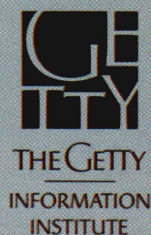
Tate Gallery, London/Art Resource, New York
Morisot, Berthe. Girl on a Divan, c. 1885.
Tate Gallery, London, Great Britain.

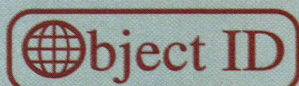
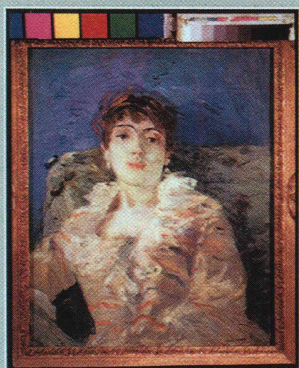
Art Resource, New York
Polychrome Figure of a Priest, possibly the Patriarch Ryumyo.
Late Kamakura period. Private Collection.

Giraudon/Art Resource, New York
Large breast-plate, in gold.
Musée Institut d'Afrique Noir, Dakar, Senegal.

Giraudon/Art Resource, New York
Silver bowl from Bordeaux, 1744.
Musée des Arts Decoratifs, Paris, France.

Beniaminson/Art Resource, New York
Anonymous, 17th century. St. John the Baptist. Russian icon.
Kremlin Armoury, The Kremlin, Moscow, Russia.





OBJECT ID CHECKLIST

☐ TAKE PHOTOGRAPHS

Photographs are of vital importance in identifying and recovering stolen objects. In addition to overall views, take close-ups of inscriptions, markings, and any damage or repairs. If possible, include a scale or object of known size in the image.

☐ ANSWER THESE QUESTIONS:

Type of Object

What kind of object is it (e.g., painting, sculpture, clock, mask)?

Materials & Techniques

What materials is the object made of (e.g., brass, wood, oil on canvas)?
How was it made (e.g., carved, cast, etched)?

Measurements

What is the size and/or weight of the object? Specify which unit of measurement is being used (e.g., cm., in.) and to which dimension the measurement refers (e.g., height, width, depth).

Inscriptions & Markings

Are there any identifying markings, numbers, or inscriptions on the object (e.g., a signature, dedication, title, maker's marks, purity marks, property marks)?

Distinguishing Features

Does the object have any physical characteristics that could help to identify it (e.g., damage, repairs, or manufacturing defects)?

Title

Does the object have a title by which it is known and might be identified (e.g., *The Scream*)?

Subject

What is pictured or represented (e.g., landscape, battle, woman holding child)?

Date or Period

When was the object made (e.g., 1893, early 17th century, Late Bronze Age)?

Maker

Do you know who made the object? This may be the name of a known individual (e.g., Thomas Tompion), a company (e.g., Tiffany), or a cultural group (e.g., Hopi).

☐ WRITE A SHORT DESCRIPTION

This can also include any additional information which helps to identify the object (e.g., color and shape of the object, where it was made):

☐ KEEP IT SECURE

Having documented the object, keep this information in a secure place.



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Eighth Annual Muse Awards

BY ANN MINTZ

Each year since 1989, AAM's Standing Professional Committee on Media and Technology has honored the best film, video, and interactive multimedia produced by and for museums, zoos,

the competition's greatest challenges. Assessing these productions often requires specific equipment and even custom operating systems that are not available to the judges. Until now, producers

of approach, quality of script and narration, accuracy of information, and integration with the museum or with a specific exhibit. The second is whether the production is appropriate for its intended audience. The third is technical quality, including direction, camera work, editing, sound, graphics, and special effects. The fourth relates specifically to interactivity: clarity of interface, ease of navigation, adequacy of feedback, and the value that interactivity adds to the production.

The first-place winners in each category are then eligible for the Golden, Silver, and Bronze Muse Awards. A separate panel selects the winners of these awards. All Muse Awards are presented at a ceremony during AAM's annual meeting. Entries are available for viewing during the meeting in the Museum Living Room, and winners are permanently archived at the Penrose Library at the University of Colorado at Denver.

Seventy-eight entries were submitted for consideration in the Eighth Annual Muse Awards Competition. They reflect the extraordinary diversity of North American museums. Winners examined such topics as Javanese batiks, folk art made from recycled materials, the Calusa Indians of Florida, Cleopatra, the sacred art of Haitian vodou, and marine biologists who study sea otters.

Golden Muse Award

National Gallery of Canada, Ottawa, Ontario

The National Gallery of Canada received the 1996 Golden Muse Award for *What's This? Understanding Contemporary Art*. This first-place winner in the category of art: exhibitions is a light-hearted video that stars a docent who recounts the evolution of her own understanding and appreciation of contemporary art. Images of contemporary art and interviews with



Telling Images: Stories in Art, a CD-ROM from the Art Institute of Chicago, won the Silver Muse Award.

and science centers. The competition seeks to provide national recognition for the best of the year's productions and to foster awareness of media and technology as interpretive tools.

To enter the competition, museums submit an entry form that provides information about the sponsoring museum and the producer, the content and purpose of the production, its audience and context, and, most important, a copy of the production itself. To be eligible for the competition, the production must have been completed in the previous calendar year. Thus, the Eighth Annual Muse Awards honored productions completed in 1996.

Interactive multimedia presents one of

have submitted linear videotapes of their interactive productions. However, procedures for the 1997 competition are being revised so that interactive multimedia can be assessed in their original intended formats.

The competition takes place in two phases. First, productions compete against other entries in the same category. The 1996 competition included nine categories—art: artists, art: exhibitions, cultural studies, history: exhibition, history: orientation, museum profile, public service announcement, science, and interactive multimedia. A jury is assembled for each specific category of entrants. Evaluation criteria fall into four broad groups. The first is content: origi-

visitors and artists are intercut in this stylish, entertaining production.

Silver Muse Award

Art Institute of Chicago

Telling Images: Stories in Art received the Silver Muse Award and the first-place award in the interactive multimedia category. This CD-ROM employs a variety of techniques to examine a selection of works, from an interactive narrative that interprets a painting of Saint George slaying the dragon to a young girl performing a temple dance similar to one portrayed in Indian sculpture.

Bronze Muse Award

Minnesota Historical Society, St. Paul
National Gallery of Art, Washington, D.C.

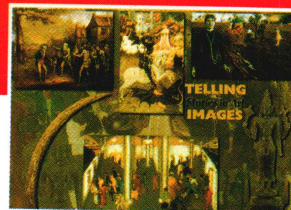
Two institutions received Bronze Muse Awards. *Unpacking on the Prairie* (first place, history: exhibition) was produced by the Minnesota Historical Society. This evocative production combines historic photos and narration taken from first-person reports by Jewish women who settled the great midwestern prairie during the late 19th and early 20th century with Klezmer-style music. The other Bronze Muse Award was presented to the National Gallery of Art for *Olmec Art of Ancient Mexico* (first place, cultural studies). This production integrates current and archival film and photographs to examine an ancient and complex civilization that created extraordinary works of art.

For more information about the 1996 winners of the Muse Awards and to receive an entry form for the ninth annual competition for work produced in 1997, visit the Media and Technology Committee Web site: <http://www/nmmnh-abq.mus.nm.us/mt/mt.html>. Or contact: Ann Mintz, chair, Whitaker Center for Science and the Arts, 717/221-8201; Ruth Perlin, vice chair, National Gallery of Art, 202/842-6273; or Sharon Chaplock, Muse Awards coordinator, 414/778-1998. **M**

Ann Mintz is executive director, Science Center, Whitaker Center for Science and the Arts, Harrisburg, Pa., and chair of the Media and Technology Committee, a Standing Professional Committee of AAM.

THE 9TH ANNUAL COMPETITION

MUSE AWARDS



HONORING THE BEST VIDEO, FILM, AND INTERACTIVE MULTIMEDIA

Each year, AAM's Media and Technology Committee recognizes the year's best video, film, and interactive multimedia productions. Awards are presented to the top three entries in each category. First-place winners in each category compete for the Golden, Silver, and Bronze Muse Awards.

Entries are being accepted now for the Ninth Annual Muse Awards Competition. Work completed in 1997 by and for museums, zoos, and science centers is eligible. Information and entry forms are accessible from the Media and Technology Committee Web site:

<http://www/nmmnh-abq.mus.nm.us/mt.html>.

Or call to request an entry form.

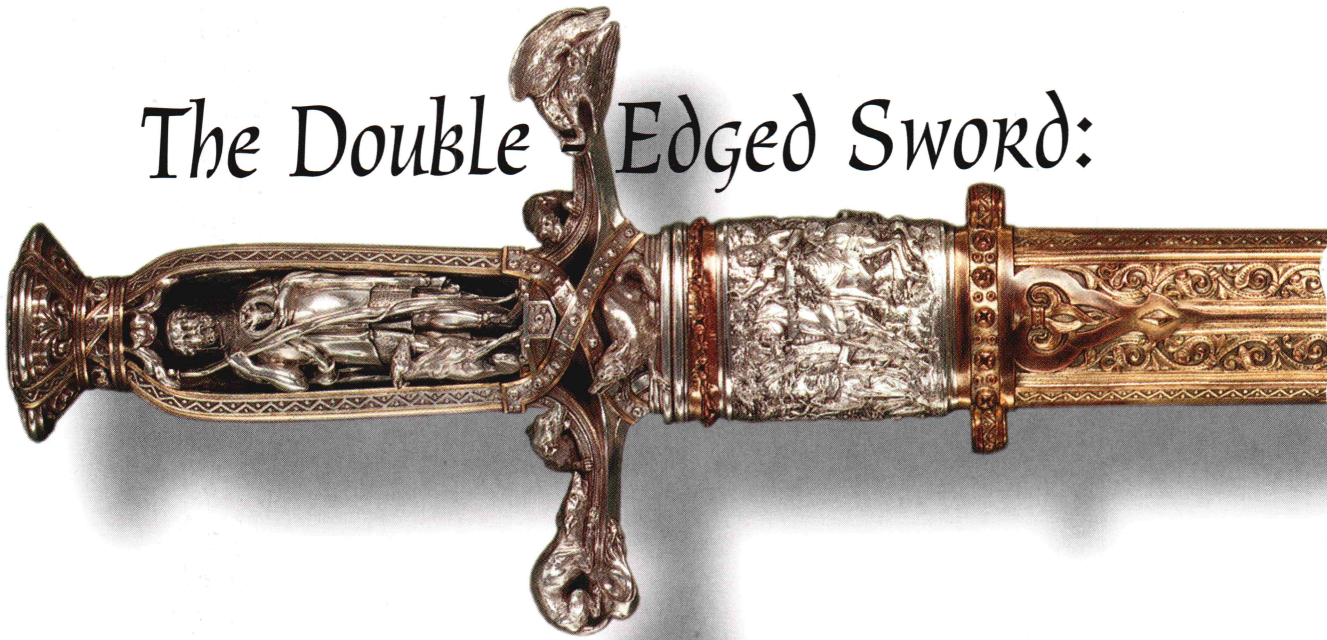
All awards will be presented at the Muse Awards Ceremony during AAM's annual meeting in Los Angeles, May 10-14, 1998. Join us in Los Angeles as we honor the best in film, video, and interactive multimedia.

Ann Mintz, Chair
Whitaker Center for
Science and the Arts
717/221-8201

Ruth Perlin, Vice Chair
National Gallery of Art
202/842-6273

Sharon Chaplock, Muse
Awards Coordinator
414/778-1998

The Double-Edged Sword:



By Christine Steiner

Fair use, an equitable doctrine that balances the rights of a copyright owner with those of society, speaks to specific uses of copyrighted works that are considered *fair* under the Copyright Act. Museums are both users and creators of rights and may find themselves taking potentially competing positions on fair use issues. Fair use is not, on the one hand, “free” use, nor, on the other, “fettered” use. The tension between an owner’s financial and security interests and society’s access to intellectual property led Congress to incorporate and codify a growing body of case law when it revised the Copyright Act in 1976. Fair use strives to ensure that an author’s exclusive bundle of property rights will not hinder the very creativity the law was designed to foster. Recognizing that new works draw inspiration from older works and that productive use of older works promotes the progress of science, arts, and literature, fair use permits certain good faith uses that, in other contexts, would be infringement. These uses can include criticism, comment, news reporting, teaching, scholarship, and research.

Sometimes viewed as an affirmative right or entitlement of users, the fair use doctrine actually is an affirmative defense that limits a copyright owner’s rights. As producers, consumers, and publishers of intellectual property, museums balance the tension

Christine Steiner is secretary and general counsel of the J. Paul Getty Trust, Los Angeles. The author thanks Heather D. Lindsey, legal clerk and student at Harvard Law School, for her contribution to the research and drafting of this article.

Museums and the Fair Use Doctrine



between protecting the integrity of a reproduction of a work of art and promoting wide access to that work for educational purposes. A grounded understanding of fair use becomes more urgent with the growth of the Internet because museums are pressed to publish catalogues, collections, and digital archives on-line; simultaneously, they are challenged to manage intellectual property, facilitate transactions, and prevent the unauthorized use of images.

For a work to be protected by copyright, it must be original and contain an expression of the author's creativity. The amount of originality or creativity needed to pass the threshold is not high. A change in color or medium is not enough originality or creativity to pass the threshold, but a change in angle or light might be. These distinctions become more complex when images are digitized; some maintain that digitization creates a separate copyrightable interest, while others hold that the process creates a mere reproduction. To be protected, the work must be fixed in a tangible medium of expression, so that an object can be perceived, reproduced, or expressed for more than a brief duration. Copyright protects expressions, but not ideas, procedures, processes, systems, methods of operations, concepts, principles, or discoveries.

The copyright holder's rights include the economic rights to reproduce, create derivatives, distribute, display, perform, and alter the work. These "bundled" rights are divisible, and it is

Above: Hunting sword in scabbard, French, c. 1851. From the collection of the Metropolitan Museum of Art.

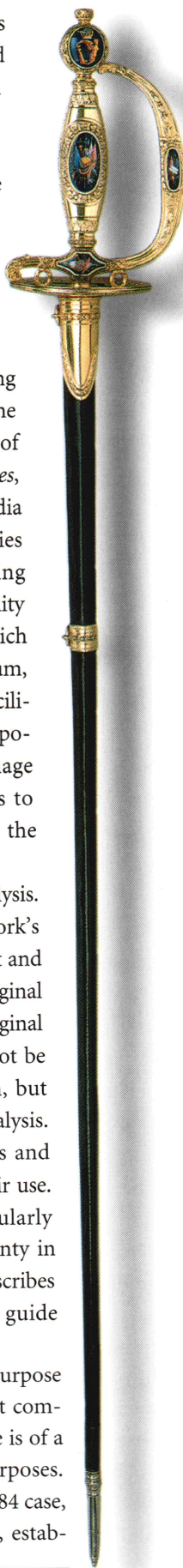
assumed that a right remains with a creator unless explicitly transferred. The reproduction of copyrighted works on the Internet was found not to be fair use in *Sega Enterprises, Ltd. v. Maphia*, wherein an electronic bulletin board (BBS) was found liable for allowing users to upload video games, and thus damage the potential market for the games. Similarly, the right to distribute and display copies to the public via on-line services was found not to be fair use in *Playboy Enterprises v. Frena*, where a BBS facilitated the posting of unauthorized copies of copyrighted photographs; the defendant's claim that it was unaware that infringing material was posted by the BBS users was irrelevant to the court because, the court noted, intent is not an element of infringement. Additionally, in *Tasini v. New York Times*, free-lance writers filed suit against five large print media entities for copyright infringement after the companies placed the authors' articles on-line without obtaining licenses. These cases illustrate museums' potential liability if visitors to their Web pages download images to which the museum has not cleared the copyright. The museum, regardless of knowledge, could be adjudged to have facilitated the infringement. Museums can avoid liability exposure by explicitly obtaining the right to place an image on-line; these legal developments compel museums to assure that they obtain a copyright or license to use the work.

The fair use test is a four-pronged, case-specific analysis. It examines (1) the purpose and character of the new work's use; (2) the nature of the original work; (3) the amount and substantiality of the portion used in relation to the original work as a whole; and (4) the economic effect on the original work's actual and potential markets. The prongs cannot be evaluated in isolation as a mathematical formulation, but rather the test is a "totality of the circumstances" analysis. The flexibility inherent in the test often leaves users and providers unsure whether the contemplated use is a fair use. The classic lawyer's answer, "it depends," is particularly unhelpful to the museum professional seeking certainty in assessing these fine line distinctions. The following describes the four-part fair use test in a manner designed to guide museum professionals in making this assessment.

The first prong of the fair use test addresses the purpose and character of the use of the work. One of the most commonly addressed aspects of this prong is whether a use is of a commercial nature or for nonprofit, educational purposes. The latter are presumed to enjoy more latitude. The 1984 case, *Sony Corp. of America v. Universal City Studios, Inc.*, estab-

lished a rebuttable presumption against fair use for commercial purposes because commercial uses often indicate unfair market exploitation. Commercial purposes can be indirect and can include educational uses that are rendered for profit; for example, educational publishing is a commercial endeavor with a robust market, and, although its ends are educational, it would not be presumed to enjoy the fair use exception but rather would be considered purely commercial. Non-commercial uses by nonprofit entities for public benefit, such as the reproduction and distribution of fire maps to other fire stations, have been held to be fair uses. However, mere reproduction by a nonprofit institution might not survive a fair use test, and its survival would be highly unlikely in a profit institution's claim. Consider the 1992 case, *American Geophysical Union v. Texaco Inc.*, in which the court held that reproduction of entire, copyrighted, scientific articles for a commercial company's research and development was considered a commercial use because the reproduction was not spontaneous or for one-time use. The court was strongly influenced by the archiving motive, by the fact that systematic copying to compile personal libraries substituted for purchase of originals, and by the availability of a readily obtainable license. Congress's decision not to enact a special exemption for educational uses further illustrates that educational, nonprofit status is not enough to assert a successful fair use defense.

Another common purpose is whether a use is transformative or productive; does the new work encompass valuable facets in and of itself? When a work has been transformed, there is less likelihood of market substitution and more likelihood of a fair use finding. This was illustrated in the 1994 case, *Campbell v. Acuff-Rose Music Inc.*, where the commercial taking of the lyrics from "Pretty Woman" was found to be a fair use because the new song, by 2 Live Crew, was substantially different from the original song, targeted a different audience, and posed little risk of market substitution. Likening the song to a modern-day parody and commentary on society, the Supreme Court found that the use was productive and offered a separate value. While a new work is more likely to pass the fair use test if the new work's composition, message, and use differ from those of the copyrighted work, in the realm of images, it can be difficult to assess the degree of transformation or productivity needed to satisfy the fair use test. In *Rogers v. Koons*, the court found that a Jeff Koons sculpture, which reproduced a copyrighted photograph by Ed



James Morisset, Presentation Court Sword, English, c. 1798-1800.
From the collection of the Philadelphia Museum of Art.

Rogers, was not a fair or transformative use because it added no separate creativity and affected the market for the photograph. In *Hart v. Sampley*, the sale of items containing the copyrighted image of the Three Servicemen statue at the Vietnam Veterans Memorial was found not to be a fair use, but in *Wojnarowicz v. American Family Association*, the publication of fragments of a work in an anti-National Endowment for the Arts pamphlet was found to be a fair use because the portion used was insubstantial, and the free speech implications were significant (note, though, that the artist prevailed under an integrity clause of the New York Artists' Authorship Rights Act). In *Sony*, the court found that although videotaping of entire television programs was not transformative, it was fair because there was a substantial non-infringing use, the copyright owners contemplated free use, the machines were used for "time-shifting" in order to watch programs later, and the videos were not used to establish permanent libraries.

Other successful purposes raised in defense of fair use include criticism, comment, news reporting, teaching, scholarship, research, historical comment, parody, and accidental use.

Internet does not enjoy "unique status" in fair use analysis.

Courts are split on whether a user is entitled to the fair use defense for materials that are out of print. On the one hand, it is argued, the fair use exemption for out-of-print works should apply because the purposes of copyright—remuneration and control—are not adversely affected; on the other hand, unrestricted copying of out-of-print works may diminish the demand for the works' republication.

The third prong, the amount and substantiality of the portion used in relation to the copyrighted work as a whole, addresses both the quantity and quality of the copyrighted work. Neither taking the entire work nor usurping the heart of a work is a fair use. In *Harper & Row Publishers, Inc. v. Nation Enterprises*, the defendant magazine "scooped" a portion of Gerald Ford's biography; significantly, the portion was Ford's account of his pardon of Richard Nixon. Allowing that the use was reporting the news, the *Nation* court found that the excerpt did not add originality to the work, it stole "the heart" of the work, and consequently was not a fair use. This prong addresses the "feel" of the taking: How much is used? How important is the portion

As rights holders and fair-users, museums have positions to protect in both camps.

The second prong in the fair use test assesses the nature of the copyrighted work. As a general guide, fictional works often calibrate the scale towards a plaintiff, while factual pieces often help a defendant. Original, creative works usually are accorded stronger protection than fact-based, informational works because the former contain a higher degree of the creativity and imagination needed to gain copyright protection. This prong has particular relevance for museums because an image of a work of art, distributed for educational purposes, has both the nature of a factual depiction and a creative effort. A work's unpublished status had formerly been a pivotal element in the test; courts uniformly weighed this fact against a fair use claim of an unpublished work because, as the courts reasoned, it was up to the creator to determine how and when a work should be published. Congress adjusted this interpretation in 1992, by amending the fair use statute to clarify that the unpublished nature of the work does not automatically bar a finding of fair use. Perhaps not surprisingly, this new provision has been most frequently tested in the on-line context. In a series of recent cases, the Church of Scientology sought to enjoin Internet-posted unpublished materials. The cases have been decided on traditional fair use analysis and have not turned on the unpublished nature of the work. Significantly, in one of these related cases, the court noted that the

used in relation to the work as a whole? Courts struggle with the question "how much is too much"; the extent of permissible copying will vary depending on the use, but courts allow a higher degree of reproduction where there is a special need, such as preserving the integrity of art. This particularly is relevant to museums because a work cannot be properly perceived except in its entirety.

The fourth prong analyzes the economic harm caused to the copyrighted work. The focus is the adverse impact of the use on the demand or potential demand for the reproduction of the plaintiff's work. A plaintiff need not show actual harm, but must show substantial likelihood of market substitution and easily inferable present or future market harm. Factors include whether a user stands to profit from exploitation of material without paying the customary fee; whether, as the *Texaco* case illustrates, it is easy to obtain a license; whether there is economic damage done to the market for derivative works. In assessing harm, a court not only considers the extent of the damage, but also the potential damage that would result if the defendant's behavior were widespread; this cumulative approach to assessing damage may assist museums seeking to stem multiple incidents of small usurpation on the Internet. The economic prong often
(Please turn to "Fair Use," page 48)



Not Money, Control



By Stephen E. Weil

Copyright is only secondarily about money. Primarily it's about control.

For most museums, copyright questions may occasionally be important, but rarely are they critical. For museums that collect contemporary art, however, copyright issues—and most especially those that concern fair use—may directly affect their very ability to carry out their work.

Consider the impact of fair use in the following situation. Your museum plans a publication that will illustrate 100 works from its collection, each accompanied by a brief scholarly text. Among these is *Grande Gaufre Rouge*, the larger of two colorful oil paintings in the collection by a recently dead Belgian artist. Her son has inherited their copyrights, copyrights that (whatever their previous status) are now fully enforceable in the United States as a result of 1994's so-called GATT amendments to the copyright law.

Since you may later decide to distribute your publication outside the United States (where fair use will not apply), you write the son describing the publication, requesting permission to reproduce *Grande Gaufre Rouge*, and inquiring about a reproduction fee. He responds that he will waive any fee but wants

to review the text, which you send. After an interval you hear further: The text does not adequately acknowledge his mother's importance; permission to reproduce *Grande Gaufre Rouge* will not be granted unless several significant changes are made. Or, alternately, he responds that the text is fine but demands that *Grande Gaufre Rouge* appear both on your publication's jacket and as its frontispiece. Or that permission will be granted only if the second of his late mother's paintings is also included. Or that permission will be granted only if you should purchase still another of her paintings (a selection of which he has available for sale).

Fair use is what stands between these scenarios and the practical realities of day-to-day museum practice. Nothing in the copyright law requires copyright owners to exercise their monopoly power in any fair or reasonable manner. In the case of certain educational and kindred uses, however—the kinds of uses that museums routinely make in carrying out their public service function—fair use can be interposed as insulation against the arbitrary exercise of power (provided, always, that the copyright owner will not suffer any significant adverse economic impact as a consequence). Absent the protective shield of fair use, museums that collect works of contemporary art without being able also to acquire (whether by transfer or license) the underlying reproduction rights to those works may be wholly vulnerable to whatever conditions—reasonable or otherwise—the owners of those rights (most frequently artists or their heirs) may seek to impose.

Although it is applicable throughout the realm of copyright, fair use has a particular importance for the visual arts (and perhaps for music as well). Unlike written texts, works of visual art cannot be paraphrased. Nor, unlike a play or novel, can they possibly be summarized. Beyond a gallery talk, the

(Please turn to "Control," page 38)

From the collection of the Metropolitan Museum of Art:

Top: Rapier (detail), German, 1606.

Bottom: James Morisset, Presentation Sword (detail), English, 1798-99.

Stephen E. Weil is senior scholar emeritus, Center for Museum Studies, Smithsonian Institution, Washington, D.C.

NOT CONTROL, PROGRESS

By Michael S. Shapiro

Copyright is not primarily about money or control. Copyright is, or at least should be, about stimulating activity and progress in the arts for the intellectual enrichment of the public. To achieve this public purpose, the framers of the Constitution granted Congress the power “To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries.”¹

Despite its deceptively simple phrasing, the copyright clause sets forth the essentials of the “cultural bargain” in the United States. Authors are granted a limited term monopoly in their works as an incentive to produce creative works for the public good. In theory, it makes little difference if these temporary monopoly rents accrue to the original author, his heirs, a publisher, or to a museum. What counts is that the public receives a benefit from the production of new creative works. In *Twentieth Century Music Corp. v. Aiken*, the Supreme Court put it this way:

“Creative work is to be encouraged and rewarded, but private motivation must ultimately serve the cause of promoting public availability of literature,

music and other arts. The immediate effect of our copyright law is to secure a fair return for an ‘author’s’ creative labor. But the ultimate aim is, by incentive, to stimulate artistic creativity for the general public good.”²

Behind the cultural bargain lies a peculiarly American view of copyright. Unlike the European system of author’s rights, U.S. copyright law is not premised on the natural rights of the creator. Instead, the American argument for copyright stems from the conviction that encouraging individual creativity by personal gain is the best way to advance the public welfare. Indeed, in *The Federalist Papers*, James Madison went as far as to argue that the public good encouraged by copyright “fully coincides . . . with the claims of individuals.”³

Then why allow fair use at all? The difficulty is that, while copyright is needed to stimulate creativity, an excessively broad grant of protection for creators would defeat, rather than serve, the public interest. For nearly 300 years, judges have struggled with this problem of how to accommodate the author’s need for remuneration and control while identifying specific instances where the author’s rights must yield to society’s need for access and use. In response, the judicial doctrine of fair use, essentially a “rule of reason,” gradually evolved and was first recognized in statute in the Copyright Act of 1976.

The modern fair use doctrine is a powerful tool in copyright infringement litigation. After evaluating four criteria—the purpose and character of the use (including whether such use is commercial or for a nonprofit educational use), the nature of the protected work, the amount and substantiality of the portion used, and the effect of the use on the poten-
(Please turn to “Progress,” page 38)



Top: Rapier (detail), German, c. 1850.

Bottom: John Ray and James Montague, Small Sword (detail), English, 1806-1807.

From the collection of the Philadelphia Museum of Art.

Michael S. Shapiro is general counsel, National Endowment for the Humanities, and former director of the Graduate Program in Museum Studies, George Washington University, Washington, D.C. The views expressed in this article are those of the author and do not necessarily reflect the positions and policies of the endowment or the United States government.

ability of a museum to initiate or maintain any meaningful discourse about the works in its collection is wholly dependent upon its ability to reproduce those works, and to do so in color and in full. Whether such reproductions appear as illustrations in its publications, as slides shown in its auditorium, or as digitized images in its collections management system, the situation is the same. Absent fair use, those holding copyright may have the power to block such uses.

Considering how vital fair use is to the implementation of their public programs, it was not surprising that a number of contemporary art museums took so wary a view of the recently proposed Conference on Fair Use (CONFU) guidelines on educational use for digital images. At one level, they were concerned that these seemed a poor bargain. Rights that these guidelines ostensibly granted to users were, in the main, no more than the same fair use rights that those users already enjoyed. In exchange, users were asked to undertake obligations that might ultimately have proven extremely burdensome. At a deeper level, though, some of their unease over the CONFU process came from the recognition that it was part of a larger and more ominous agenda: an effort to reshape America's basic copyright law in order to make it more compatible with the anticipated operating requirements of the National Information Infrastructure (NII). What those museums feared is that the very notion of fair use might well become a victim to that effort.

Such fear was by no means groundless. As suggested by a footnote in the 1995 White Paper on intellectual property and the NII, fair use—traditionally raised as an affirmative defense following a copyright owner's claim of infringement—may be “an anachronism with no role to play in the context of the NII.” In a smoothly functioning electronic environment of automated transactions, the kind of situation-specific, after-the-fact, and one-at-a-time distinctions that fair use determinations generally require of a federal court might well be seen as a throw-back to some primitive pre-computer age, a glitch out of yesteryear, an obstacle to be removed.

Ironically, given that copyright holders may ultimately have (or perhaps already have) the technical capacity to place a powerful electronic “lock” on copyrighted materials in cyberspace—a lock that may be opened only when payment has been received in advance or permission to copy is otherwise granted—it may in any case become virtually impossible, simply as a practical matter, to make any fair use (i.e., an unauthorized use that is nevertheless legally permissible) of such materials. Those who believe there to be a strong link between fair use and the First Amendment's guarantee of free expression may well argue that the exclusion of fair use from cyberspace would be the functional equivalent of excluding from cyberspace as well the kind
(Please turn to “Control,” page 41)

tial market for the copyrighted work—a judge may excuse conduct that would otherwise constitute unlawful infringement. While it is true that fair use has become an integral part of the overall design of U.S. copyright law, it is equally true that fair use remains a privilege, not a right.

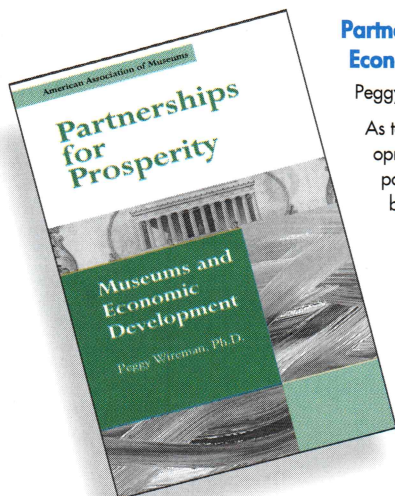
What, then, is the role of the museum in this cultural bargain? Despite the persistent claims of some commentators, museums do not occupy a privileged place in the constitutional and statutory scheme of copyright solely because of their organization, mission, or activities. However important the public service obligations of museums may be, these alone will not confer a special copyright status. Museums enjoy no blanket immunity from copyright infringement, and there is no rebuttable presumption of fair use merely because a museum, rather than a commercial entity, undertakes the use of a protected work. In fact, in 1976, Congress expressly eliminated an across-the-board exemption for nonprofit organizations, recognizing that the “line between commercial and ‘nonprofit’ organizations is increasingly difficult to draw.”⁴

The prescience of these lawmakers was brought home to me recently when *The New York Times* reported that the Metropolitan Museum of Art has opened 14 stores in the United States in the last decade and 19 shops through licensing agreements in foreign countries, from Mexico to Taiwan.⁵ In that period, merchandising revenues more than doubled, from \$38 million in 1986 to \$79 million last year. Whatever other insights you may draw from this story, it is clear that the trade in cultural products, both domestic and international, has become a big business and will only likely increase with the advent of global electronic commerce.

Small wonder that creators, copyright owners, and cultural and educational institutions circled each other warily for almost three years under the big tent of the Conference on Fair Use (CONFU), which was convened by the Clinton administration to help define fair use in the digital age. Each group had its own mantra. Authors worried about their ability to be fairly compensated for their work in the digital environment. Publishers complained that they would lose control over works placed on networks where transmission and reproduction was instantaneous. Academics wanted to maintain their right to use materials freely for educational and scholarly purposes. Museums, as both rights-holders and educational institutions, sought to accommodate the interests of a diverse constituency.

In the corridors, there was always plenty of talk about the efforts of the other groups to reshape the “fundamental principles” of U.S. copyright law, or, worse yet, to abandon them secretly in an international treaty negotiation. That did not happen. Fair use remains an integral part of the overall design of U.S. copyright
(Please turn to “Progress,” page 41)

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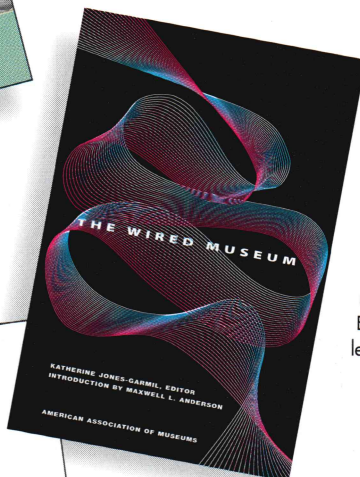
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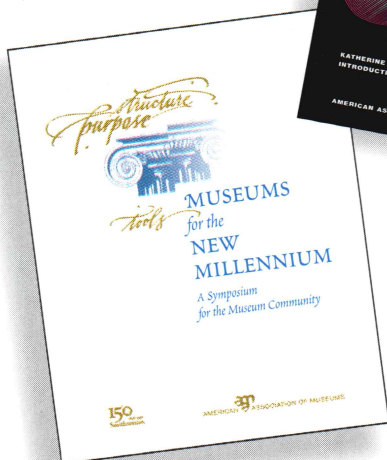
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Control

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of constitutionally protected criticism and comment with which fair use has traditionally been associated.

For museums that collect contemporary art, fair use is far too important to let it be treated like a legal leper, ripe for expulsion from the brave new world of cyberspace. Its contemplated elimination there can only serve to weaken its application in other contexts. Rather than the relatively passive wariness evidenced by those museums in the CONFU process, they ought now be working vigorously to assure that fair use not only continues to play a role in cyberspace but also that it be positioned to play that role in as strong and expansive a way as possible. Powerful arguments are available that fair use—more than simply an affirmative defense or an “exception” to copyright (as the authors of the White Paper tend to treat it)—is in fact an integral extension of copyright and intended to achieve the same publicly beneficial purposes as the rest of our copyright law. Viewed from that perspective, fair use can be seen virtually as an independent right in itself. It is toward defining, defending, and strengthening that right that museums of contemporary art should be strenuously working. Again, fair use is too important to the fulfillment of their public service obligations to let it be so casually snatched away. **M**

Progress

continued from page 38

law, and its importance was recognized in the recently concluded Diplomatic Conference of the World Intellectual Property Organization (WIPO) on Certain Copyright and Neighboring Rights Questions.

The Conference on Fair Use has now adjourned for at least a year, with its 100 participants evaluating the successes and failures of the process. The participants should return to the table after a year with fresh information and ideas. Toward this end, AAM took an important step when its board of directors voted to endorse the digital image guidelines for a one-year trial study period. In the end, however, all of the participants must try harder to accommodate their narrower group interests to the ultimate aim of the copyright system—stimulating creativity for the general public good.

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1. U.S., *Constitution*, Art. I, § 8, cl. 8.
2. 422 U.S. 151, 156 (1975).
3. *The Federalist*, No. 43 (J. Madison).
4. H. R. REP. No. 1476, 94th Cong., 2nd sess. 62-63 (1976)
5. Lisa W. Fodero, “Museums Step Up Their Retailing: Merchandising Goes Well Beyond Usual Postcards and Posters,” *New York Times*, Feb. 18, 1997, p. A20. **M**



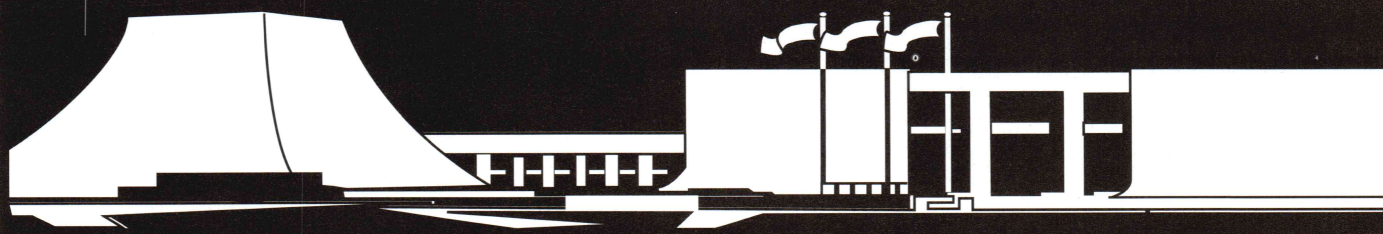
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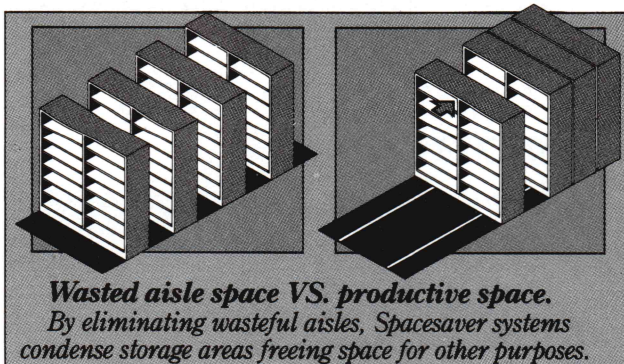
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The Higher Education Gateway

By Claudia J. Bach

A recent study from the Henry Art Gallery suggests that museums may be overlooking a large group of potential life-long participants—college and university students.

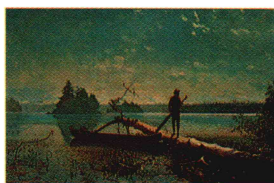
The last 20 years have seen a remarkable blossoming of programs for elementary and high school students in art museums from coast to coast. Such programs have enriched the lives of numerous children, filled in deplorable gaps in arts education, and encouraged museums to explore crucial issues, including how to serve minority audiences. But the fact remains that most of these school visits serve “captive” audiences—students exerting no self-motivation to walk through the doors.

What happens when these students reach the point of free choice about museum visitation? Where should we allocate our scarce resources to build curiosity, involvement, and commitment among tomorrow’s increasingly pluralistic audiences and in the face of extraordinary competition—from sports, movies, and shopping malls—for leisure time?

As John P. Robinson noted in a 1993 NEA report, *Arts Participation in America: 1982-1992*, nearly 60 percent of art museum visitors have a graduate school education, while fewer than 8 percent have less than a high school education. This suggests that college and university students are among those individuals likely to join the ranks of art museum visitors as adults. College and university campuses mirror the palette of racial and cultural groups that will make up future generations of the well-educated. Cultivating audience growth among college-age students, particularly those of varied racial or ethnic backgrounds, is an important piece of the future participation puzzle.

In 1994, the Henry Art Gallery, the art museum of the University of Washington, Seattle, was at the brink of a major renovation program to expand the size of the museum from 10,000 to 46,000 square feet. This growth made for intriguing opportunities for audience development, but we required clarity in choosing where to put our energy and resources.

Prior to expansion, the museum’s audience was an interesting mix of 35 percent students and 65 percent visitors from the larger Seattle community. Our expectation was to increase attendance by at least 50 percent while



Top: Charles Gwathmey's 1997 redesign of the University of Washington's Henry Art Gallery led to the development of an audience survey. Photo by Richard Nicol.

Below: The museum's collection includes Stuart Davis's *Trees and El*, 1931, and Winslow Homer's *An Adirondack Lake*, 1870. For many students, a visit to the Henry was their first to an art museum.

Claudia J. Bach is deputy director, Henry Art Gallery, University of Washington, Seattle.



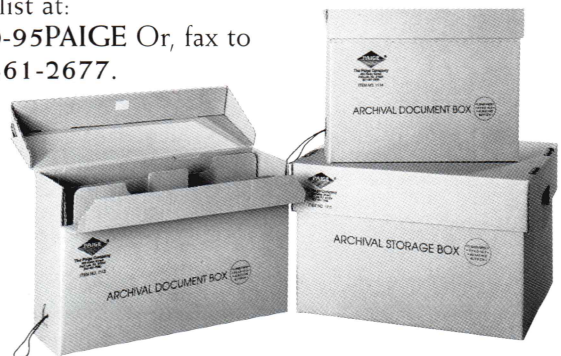
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maintaining a similar proportion of visitors. The Henry convened focus groups and conducted a mail survey of university students, supported by the Northwest Area Foundation, that examined attitudes, participation, and interest, and pointed to untapped potentials for audience building—not only at campus museums, but at other museums as well. The survey was sent to 400 participants, who represented the university's student community of over 34,000 and reflected its 25 percent minority enrollment. More than 50 percent—230 people—responded. The findings relating to minority students are especially intriguing and offer possible keys to audience growth in underserved or non-traditional communities.

A Gateway to New Experiences

Museums have increasingly functioned under the assumption that early socialization to the arts, through family and school, is a powerful tool in building audiences: Get them in early, and they'll grow into adults who appreciate art. Our survey suggests that such socialization is not a factor in university museum attendance by college students. Those who had visited art museums with their families or on school tours, or who had taken art classes in school, were no more likely than other university students to be campus museum visitors. Such findings, while perhaps discouraging to proponents of such programs, point to the unique moment that higher education represents in the opportunity for building audiences.

The college years are a period of new experiences and investigation. Campus museums are one of an array of opportunities that students can explore, and many do take advantage. Fifty percent of the students in the study were visitors to the Henry, which is far beyond the 27.7 percent of the American public estimated to be art museum visitors. For many students, a visit to the Henry was their first art museum experience. Such new exploration was especially true for minority students, more than half of whom reported no prior museum experience, whether with family, school, or on their own.

Minority students, both visitors and non-visitors, were more interested than their white counterparts in a broad range of museum activities, such as historical and contemporary exhibitions, guided tours, lectures, free student receptions, performances, and the museum café or gift shop. They also were more likely than white students to cite a variety of motivations beyond the desire to see a specific exhibition, including visiting the museum for some quiet time, to fill time between classes, or simply curiosity. These findings suggest an overall openness to new experiences among minority students that exceeds that of their fellow white students.

Getting Noticed

With 50 percent of students visiting the museum, it is surprising that a relatively low number of visits are academically related. Less than a quarter (24 percent) of students who visited the



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Henry reported coming as part of a class tour, and only 13 percent came to complete an assignment. Student visitors are coming to the Henry because they want to—for leisure—which is at the heart of life-long participation. Increasing academic usage holds untapped potentials, but it is leisure use that has the most intriguing implications. One student stated, “I really like popping in for a few minutes”—golden words of encouragement for the museum field. Students who see visits to their campus art museum as a meaningful interlude or an enhancement to their schooling may seek museums to fill a similar role once they are part of the harried work force. Proximity undoubtedly plays a role. But college students are active and mobile, and their level of interest and participation makes it possible for other museums to consider enticing students beyond the campus boundaries.

Competition for the attention of students, as with all audiences, is staggering. A seemingly endless barrage of information challenges museums to be noticed midst the communication deluge for consumer goods, entertainment, and “edutainment.” For students—both visitors and non-visitors—oral communication is of the utmost importance. As one focus group participant put it, “Word of mouth has a big role.” While not the most eloquent statement, this response underscores how museums can benefit from strategies that engage students who speak to their peers. Museums should work with students in leadership

positions or other potential “influencers” from the various segments of the university community.

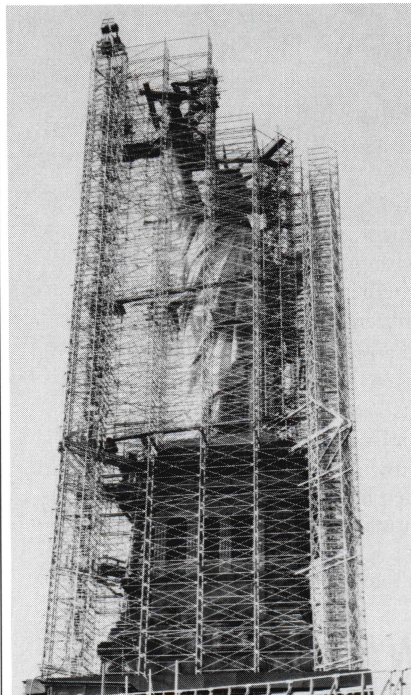
Print media, while used appreciably less by students, remains an important source for leisure information. Campus newspapers are not exceptionally powerful communication sources, but were found to be of use to minority students, which suggests that they may be especially appropriate vehicles for reaching that segment of the student population. Signs and other out-of-doors media, such as posters, banners, sandwich boards, etc., appear to influence spontaneous visits, especially among minority students. “Having an attractive, comfortable, inviting entrance with some sort of prominent advertising out front would get me to visit the museum more than anything else,” said one student. Encountering outdoor media in proximity to the building not only identifies the museum and its activities, but makes evident a presence and encourages curiosity.

Looking to the Future

The Henry Art Gallery’s expansion fueled the importance of audience research, but also offered an opportune time for new audience initiatives. The survey encouraged us to develop some key concepts, which were supported by the focus groups:

- Higher education should be viewed as a “gateway” period to museum participation, regardless of the visitor’s prior experience.

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Statue of Liberty National Monument, New York Harbor (with scaffolding). The Graduate Museum Studies Program, New York University, held two contracts to collect and store the artifacts used in the new Ellis Island Immigration Museum as part of the restoration of two of America’s most famous landmarks in a nation built by immigrants. Photograph Courtesy of the National Park Service, Statue of Liberty National Monument.

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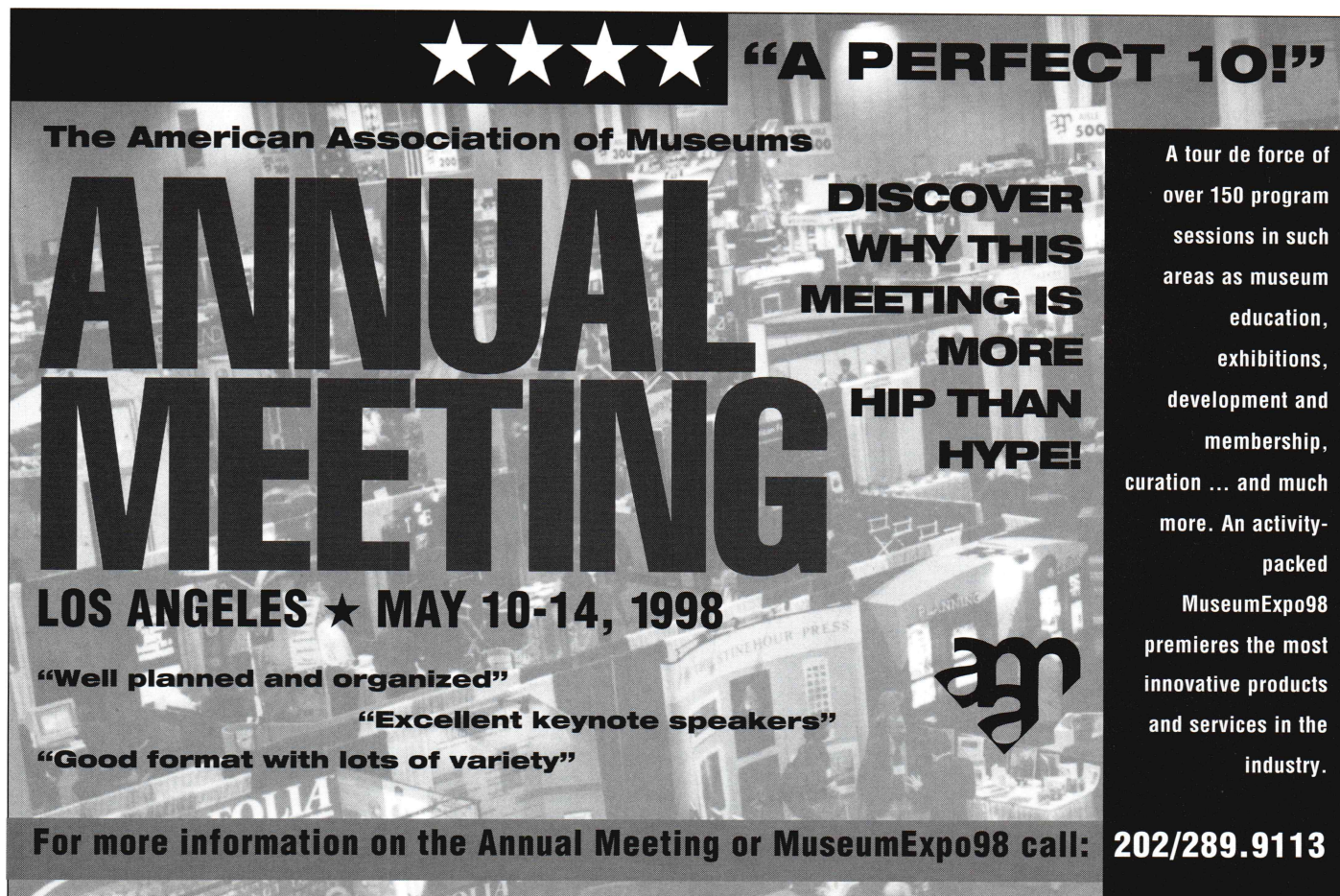
Statue of Liberty National Monument, New York Harbor. Photograph Courtesy of the National Park Service, Statue of Liberty National Monument.

- Students should be encouraged to visit campus museums as a brief leisure pursuit within the context of the academic week.
- Strategies to maximize awareness and participation within student communities must be built on effective word-of-mouth communication, which should be reinforced in print media and outdoor signs. Promotional campaigns should build on positive attitudes and activities associated with museums.

The Henry is heeding the results of the research, and is committed to building stronger relationships with the student population. In April 1997, the first in a series of grand reopening celebrations for the Henry welcoming the University of Washington community was organized by a committee inclusive of student voices. Invigorated relationships to academic departments are being developed in tandem with efforts to increase free-time leisure usage, and a campus communications campaign will focus on a "drop in" approach to visiting the museum. New lunch time "Midday Art Moment" programs and tours are scheduled to fit into the school day, and we are working more closely with campus orientation programs on efforts to introduce freshmen to the museum. In addition, the Henry is investigating student-only receptions and special promotional incentives, and a shift in policy now permits free admission to all full-time students—not only those at the University of Washington.

The survey also motivated a rethinking of the security presence in the museum. The Henry is defusing the negative and unwelcoming aspects of a police-like presence, and has developed a training program for gallery attendants that merges security, visitor service, and interpretive functions. This cross-training enables attendants to rotate shifts at the admissions desk and the galleries, where they are spokespersons for the museum and can respond to inquiries on an informative, though not in-depth, level. Our recruitment efforts for these entry-level positions target young people.

As these initiatives evolve, the Henry will undoubtedly need to evaluate, reconfigure, and expand on them. College and university students offer special opportunities as well as challenges as a focus of audience development. Not only are they less photogenic than second-graders, but they may be a less compelling audience for funding sources. Museums must continue to grapple with the important but competing demands of K-12 programs. Despite the inevitable roadblocks, the Henry is committed to exploring the implications of our research on student audiences. We hope to see the results of these efforts revealed through the support of an informed and engaged base of students and alumni, as well as an invigorated interest in art and museums from students moving on to the next phases of their lives in the larger community. **M**



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is considered the most important factor. Opinions that turn on this prong are the most consistent finding against use of a copyrighted work that directly damaged the work's economic value, but opinions differ as to the fair use ramifications of commercial uses, productive transformations, specific purposes, creativity, factual works, and use of entire works. Opinions also differ as to fair use ramifications where there was no market damage or the owners were indifferent to the economic impact.

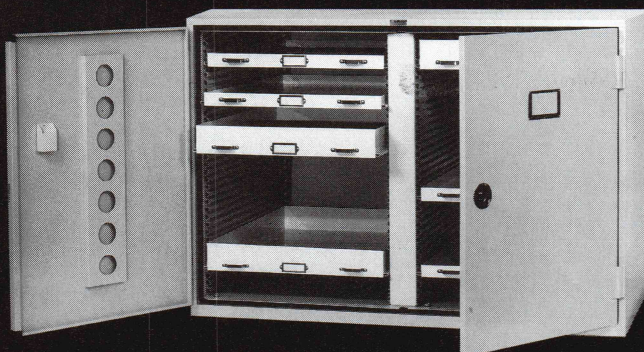
The four-part test contained in copyright law is not the only measure of fair use; courts look to other factors as well. For example, it is relevant whether the taking is socially desirable or creative conduct that stimulates the public interest. Occasionally, public interest is considered to be the fifth prong. Courts disagree as to whether obscene use bars a fair use finding. The lack of good faith weighs against fair use, as does failing to provide credit or attribution (thus akin to plagiarism). Some commentators note that these other factors should be weighed because copyright takes place in a social context and certain considerations may influence equitable outcomes, whereas other commentators view additional factors—good faith, artistic integrity, and privacy—as distractions in balancing the goals of copyright.

Fair use in the context of works of art is even more uncertain. Not only must one determine and apply the fair use test, the nuances and inconsistency of which are described above, but one must do so without a settled body of fine art-specific case law and in the context of new challenges presented by electronic media in general. The growth of the Internet has been accompanied by a liberal interpretation of both freedom of speech and the fair use exception. Because of the ease and speed of downloading and manipulating images, and the mass of unrestricted images on the Internet, often users assume an implied license to copy, print, and distribute Internet materials; users liken transmitting copyrighted materials via e-mail to sharing a paper or showing a picture to a friend. Computer networks and bulletin boards compound damage because distribution is quick, easy, and inexpensive. Uploading an image implicates the rights of reproduction and distribution; downloading and printing an image represent two acts of reproduction; and modifying an image implicates the rights of reproduction, distribution, and adaptation. If the use is a fair use, these activities will not infringe the copyright; but if these uses are deemed not to be fair, then each separate act is a separate (presumably compensable) infringement. Other issues raised by the transition to an on-line environment include whether a digital image differs enough from an original image to garner its own copyright;

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whether a work in the public domain becomes copyrightable when it is digitized; how to deconstruct the copyright components of a multimedia project; and who is liable for third-party infringement.

The ability to attract “virtual visitors” to “virtual display cases” allows museums to offer access to previously inaccessible images and potentially to increase revenue in electronic formats through a cost-effective means of providing education, publications, information, and promotional materials. However, increasing display decreases “virtual security”; museums balance the goals of increasing and simplifying access to images with the need to protect the economic and integrity rights of the copyrighted images, some of which museums might not own. Moreover, fair use grows more complicated as the Internet facilitates joint works and compilations. Because compilations and multimedia presentations are comprised of various copyrighted components, museums must be rigorous in obtaining permission to use the many textual and creative components of the works, if, as is likely, the multi-layered new work does not fall within the fair use doctrine.

Fair use has inherent drawbacks—it is expensive and time-consuming to make individualized decisions on a case-by-case reading of the facts, and it is risky because the analysis might be incorrect. Fortunately, fair use is not an either-or proposition; rights management systems exist for situations where fair use is inapplicable or impractical, for large-scale projects, and for peace of mind. Licensing initiatives are being explored in relation to museums. The goal of licensing should not be to restrict substantially the applicability of fair use; therefore, these methods cannot be seen as limiting or overly complicating fair use. For years the music and photographic images markets have had licensing schemes function compatibly with a robust interpretation of fair use in the relevant markets.

Believing that the development of museum imaging would be hampered without a common framework of rights, permissions, and restrictions, the Getty Information Institute co-sponsored the Museum Educational Site Licensing Project (MESL). This initiative examined the educational benefits of digital access to museum collections by bringing together museums and universities in a two-year pilot project that explored mechanisms for the digitalization use and administration of museum images for university curricular purposes. Preparations are underway for a publication detailing the process and results of the pilot project, which is now in its final phase of completion.

Because museums are expected to place on-line a large number of images, rights management systems are becoming necessary. In managing museums’ intellectual property, these systems limit access to images, transmit royalty data, and bill customers; instead of discouraging reproduction and retransmission, rights management systems encourage it because the public gains

access to artistic, educational content, while museums avoid infringement complications and receive revenue.

The Art Museum Image Consortium (AMICO) is in formation as a nonprofit corporation that will serve the museum and educational communities. AMICO will provide museums with a library of digital documentation (images, text, etc.) for licensing to educational users. The goals include: creating a collective library of art for all levels of educational use; providing members access to collective holdings; negotiating digitized rights with artists, artists’ rights societies, artists’ estates, and other rights holders; providing members access to collective funding to preserve educational museums; and enhancing the information infrastructure and documentation practices of members. AAM also is working on a similar effort, the nonprofit Museum Licensing Cooperative. It is to consist of a group of museums that will take responsibility for financing and managing the licensing of digitized museum materials. In short, the goals of licensing systems are creating databases, negotiating rights, preparing agreements, transacting deals, returning revenue, and enhancing technological and administrative standards of all members through a collective approach.

The guidelines that came out of the Conference on Fair Use (CONFU), the *Educational Fair Use Guidelines for Digital Images*, were developed to assist educational institutions in assessing issues related to digitizing existing image archives and in digitizing and distributing images on-line. As the Supreme Court made clear in *Campbell* (the “Pretty Woman” parody by 2 Live Crew), a use is either a fair use or it is not; if a copyright owner withholds permission to use a work, but the user decides to appropriate it anyway, the fact that permission was denied is irrelevant. The CONFU digital image archives guidelines make explicit that the guidelines are not intended to supplant fair use. The introduction provides that: “While only the courts can authoritatively determine whether a particular use is a fair use, these guidelines represent the endorser’s consensus of conditions under which fair use should generally apply and examples of when permission is required. Uses that exceed these guidelines may or may not be fair use” (*Guidelines*, at 1-2). The CONFU guidelines are discussed elsewhere in this issue of *Museum News*.

It is probable that an increased number of conferences, working groups, laws, and court cases will further delineate the relationship between fair use and digital imaging. The CONFU guidelines will be implemented and studied for a one-year period. Fair use is an equitable doctrine that allows elastic interpretation of property rights for socially useful purposes within certain well-defined rules. It is, however, a case-by-case, individualized determination. The fair use doctrine can, at bottom, be reduced to a “do unto others” rule—how much we take of a work may well be examined in light of how well we can tolerate the uses others may make of our work. **M**



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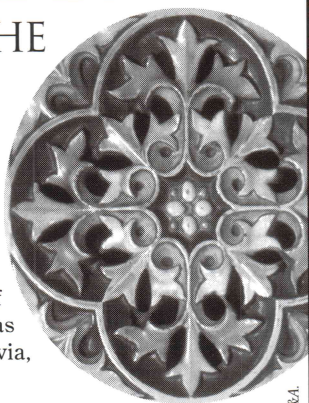
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Books

continued from page 25

This implicit emphasis on formalism is surprising considering the tone of the essays. The photodocumentary couplets seem to contradict the authors' call for an evaluation of Native American art according to the values of its cultures and time periods. Certainly, the recently published spate of literature prompted by repatriation legislation bolsters the idea that Indian art should be evaluated by a wide variety of criteria, including those indigenous to Native Americans, which may or may not have been influenced, over time, by European values such as formalism. In any event, just because works of art can be selected according to the precepts of formalism, does it mean that they are objects of quality or beauty?

The most discouraging aspect of this book, however, is the lack of control and consistency exercised by the curators when writing the captions and supervising the graphic design. The exhibition had five curators, and perhaps the catalogue's problems are a result of too many cooks in the curatorial kitchen. Captions run the gamut from traditional object labels, containing provenance, artist, date, etc., to statements that are seemingly irrelevant to the exhibition to artist testimonials that may or may not be helpful to the reader. Some captions are thoughtful:

Portrait Pipe, Running Cloud, Sisseton Lakota Artist, Ca. 1840.

This wonderfully executed pipe is believed to be one of a body of works by Running Cloud, identified through recent scholarship as a master pipe carver in the vicinity of Fort Snelling. This and other works by Running Cloud are among the earliest that can be associated with a named artist. Catlinite. Andover Newton Theological School Collection, received 1976.

Others are irrelevant:

Doll, Tom Haukaas, Sicangu Lakota Artist, 1996.

The artist is a practicing psychiatrist and the brother of Linda Haukaas. Fabric, leather, paint, and hair. Loaned by the artist.

Throughout, there are annoying references to outside sources that are not cited. One wishes for the specific reference that matches Running Cloud to his oeuvre, or to be told outright that Linda Haukaas is another artist whose work is represented in the catalogue. If her work hadn't happened to be illustrated on the page facing her brother's, I don't think I would have known who she was. It was at this juncture that I turned to the back of the book in a vain search for an index or list of artists represented in the exhibition, an odd oversight for a project that seeks to change the historical practice of subverting the names of individual artists to other identifications, such as tribal affiliation or object function.

Finally, the book's graphic design undercuts its subject. The layout of the

color photographs is so inconsistent that it competes with the works of art. Objects are either photographed against black backgrounds that bleed off the edge of the pages, or float in traditional, rectangular photographic format on white or black pages. Sometimes the image floats in a black pictorial space, and then that image is printed against a slightly different shade of black. Sometimes the image is photographed and reproduced in a rectangular format and then framed (center or off-center, horizontally or vertically) by the contrasting white or black of the underlying page. This creates irregular margins on the top, bottom, and sides that take on an independent design and compete with the objects. Incredibly, a few photographs are even printed at an oblique angle.

The essays themselves are printed on white or gray pages, any one of which may have an image screened behind the text. The erratic variety of page color and the distracting screened images disrupt the reader and divert attention from the essays. The design of the book dominates the reader's reading and visual experience, overwhelming both the textual and the photographic subject matter. In effect, *Gifts of the Spirit* is an art object whose artistic worth is the value placed on the book's graphic design, rather than a useful research tool whose value is dependent on the art it discusses.

Charles K. Steiner is associate director, The Art Museum, Princeton University, Princeton, N.J.

Working Model

BY MARTHA MORRIS

Museums: A Place to Work. Planning Museum Careers. By Jane R. Glaser with Artemis A. Zenetou. London and New York: Routledge in association with the Smithsonian Institution, 1996. 302 pp., paper. \$25.00.

It is clear that organizations today place great emphasis on human resource management. Workers and managers in contemporary society are challenged by the need for new skills, knowledge, and abilities, as well as new ways of creating working relationships. Management theorist Peter Drucker has defined the modern employee as a "knowledge worker," one who is increasingly focused on using, sharing, and building information as a core work activity. Museum work is no different. As a substantial percentage of today's museum professionals reach mid-career, they are confronting issues of succession planning, grooming the next generation of leaders, thinking about new career options, and retooling their skills to succeed in the information age. As we approach the millennium, it is no doubt wise to stop and think about the nature of museum work—what is expected of us

today and what will be in store for us in the next century. Despite an era of reduced funding and the popularity of various alternative leisure-time activities, new museums continue to open on a regular basis and will continue to need a competent work force.

In his forward to *Museums: A Place to Work*, Paul Perrot, former director of the Santa Barbara Museum of Art, notes that we need to "create a climate that will attract the best minds and enthusiastic attitudes" to the profession. Jane R. Glaser, working in association with Artemis A. Zenetou, has written the definitive guide for the individual starting a museum career. Others also will benefit from this comprehensive work, not just because it defines more than 30 job positions in the museum profession, but because it analyzes museum-training options, fundamental principles and standards of museum work, and future trends for the museum and its work force. An extensive bibliography is augmented by a listing of professional associations, sources of salary surveys, funding for fellowships and internships, and examples of organization charts and

museum mission statements. Glaser, a special assistant in the Office of the Provost, Smithsonian Institution, Washington, D.C., has called upon more than 30 years of experience as a museum educator and specialist in museum training. The result is the best publication in its class today.

One reason this book is a success is that Glaser and Zenetou extensively surveyed and interviewed a substantial number of museum professionals, including various staff, trustees, and museum training administrators and career counselors. This well-organized and easy-to-read book is punctuated with their comments. In many ways these statements, which range from the practical to the inspirational, are one of the book's most valuable contributions.

Glaser begins with an overview of museums and their long history—from their origins in early Western civilization through their private, popular, academic, public, and educational phases. The museum at the turn of the 21st century faces the challenges of defining standards of excellence and dealing with issues of social change. The rise of professionalism

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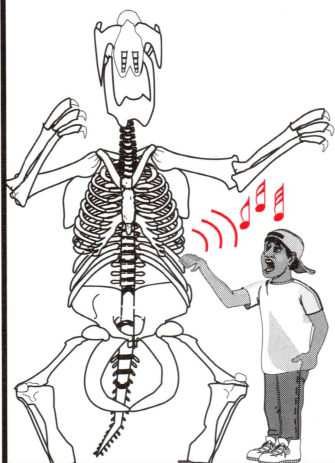


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in the museum field illustrates a response to the variety of specializations in museums, the lack of clear national cultural policies or bureaucracies, and the influence of voluntary associations such as AAM and the American Association for State and Local History (AASLH). The establishment of accreditation and peer review programs has helped to define professional jobs according to the major functions of the museum. To best illustrate the overriding elements of the field—i.e., a body of standards, a code of ethics, and a public service mission—Glaser enlisted two of the leaders in the profession. Robert Macdonald, director of the Museum of the City of New York, writes a cogent and enlightening essay on the history and struggle that produced the current AAM ethics code, which is reproduced in the book. Marie Malaro, former director of the museum studies program at George Washington University, Washington, D.C., contributes two excellent chapters on legal concerns and governance. The latter includes a perspective on the changing role of the director, always a pivotal and controversial issue.

The heart of *Museums: A Place to Work* is the section that lists more than 30 jobs in the modern museum, outlining the duties, qualifications, and necessary education and experience for each one. Glaser divides jobs into four categories: administrative, collections-related, public programming, and "coordinate functions." Examples of the last include archivist, librarian, and editor. I find this category to be less clear than the others and probably superfluous.

It comes as no surprise when the authors state that there are no standard classifications for museum positions, although many civil service positions do attempt to standardize museum job descriptions. This lack of standardization can result in inconsistencies from one museum to another. Reading the book, one notices an overlap in the duties and qualifications of similar positions such as archivist and registrar or exhibition planner and curator. It also is curious that the curator description does not include any reference to public outreach and education, which should be a fundamental responsibility. Omitting or overlapping duties is one of the conse-

quences of a field that is continuing to evolve its job specializations. But this can be a source of conflict and confusion in some organizations. It is important to clearly define roles within the museum including when a particular function, such as writing an exhibition script, falls under the purview of more than one job category. We clearly need to be aware of and actually take some positive action toward clarifying roles as it will certainly affect our ability to effectively evaluate our museums through a common set of standards.

Some themes do show up rather consistently under the headings of qualifications or duties, such as teamwork and the ability to work effectively with others. As Linda Thomas, registrar at the Boston Museum of Fine arts, states, "One needs flexibility, a sense of humor, and to be a people person as well as an object person." For the position of director, Glaser calls for qualities of both leadership and management skill. It is critical that directors provide intellectual and managerial leadership and have a firm grounding in such fundamental values as integrity, excellence, public service, mutual respect, and commitment.

Glaser makes an effort to distinguish between small, medium, and large museum duties and requirements. Of course, this is fundamental since in smaller organizations some specialized positions are not staffed at all or several duties might be required of one person. For example, collections managers and registrars may work side by side in a large institution, but the two jobs would be combined in a small museum. Volunteers play an important role in all museums, and the book devotes an entire chapter to the relationship between staff and volunteers, including trustees. Visitor-services volunteers as well as those working behind the scenes are discussed, along with the need for proper training.

One of the nicest features of this section is the inclusion of some positions one might not expect such as attorney, docent, editor, archivist, health officer, exhibition planner, media manager, plus 21 "support" positions including object processor, tour scheduler, and exhibition assistant. The inclusion of non-traditional functions is important because it

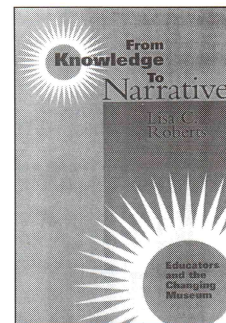
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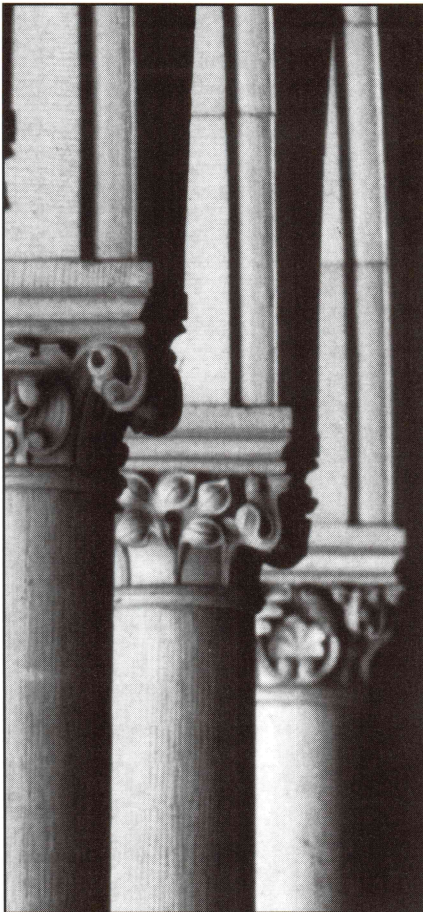
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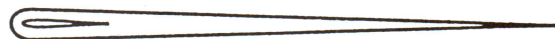
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explicitly recognizes the value of and the need for these roles within the museum. Unfortunately, the support positions do not get the same degree of description as the other job categories in the book, nor do the authors explain if and how they might be career-ladder/entry-level stepping stones to more senior level professional jobs. Also missing are descriptions of the increasingly important work of project managers, planners, and collections care specialists. The best part of this section is the collection of personal statements by 18 museum professionals that is included at the end. These statements provide insights into the process of career development, such as the value of starting out in a small museum and getting a variety of experiences, the need for a mentor, and the need for continuing education.

Perhaps the most valuable parts of this book for the aspiring museum professional are the sections on training and job seeking. Glaser provides a solid history and overview of museum studies programs in the United States and some that are abroad. A description of the work of the AAM Committee on Professional Training (COMPT) is accompanied by a very helpful and comprehensive set of questions that can be used to assess various museum studies programs, which often combine discipline-based study with specialization in museum practice. The book also reviews other types of graduate programs that are more specialized, such as conservation and exhibition design. Glaser wisely recommends that no matter what position you desire in the museum, it is important to seek training in management (finance, organizational behavior, personnel) and communications and automated information systems.

Most professional associations have developed programs for continuing education, a major part of museum professional development. It is the joint responsibility of the individual worker and the museum's management to ensure that such opportunities are available. Training and staff development are critical and strategic goals for all organizations in this ever-changing world. Thus the authors could have placed more emphasis on individual development plans, cross-training, mentorships, and

other creative programs that help to build a flexible, capable work force and provide opportunities for career advancement.

In addressing the prospects for employment, the book covers placement services, publications, and various ways to enter the museum job market. Temporary, part-time, and contractual work, as well as internships are outlined as are opportunities for minorities, women, and people who are disabled. The book outlines when, where, and how to look for a museum job, and suggests seeking out professionals for informational interviews, starting out in smaller museums in less glamorous locations in order to get good basic experience, talking with other recently hired staff to determine how they landed a good job, or working for a museum service agency, private gallery, or related educational institution.

The two final chapters in this book deserve special recognition. In "Global Perspectives," Zenetou outlines issues common to all museums, such as protection of cultural property and the environment, and the many ongoing efforts at international collaboration among museum organizations. She also provides overviews of museums in Asia, Latin America, the Middle East, Europe, Canada, and Africa. This information is critical as we move toward a global economy and museums seek ways to support worldwide efforts in preservation and educational services.

In the final chapter, "Views on the Future," Glaser reviews future trends and predicts how they are likely to affect the museum world. Changing cultural demographics—diverse, aging, and geographically shifting populations—along with the challenges of educating young people with more engaging methods and providing lifelong learning point to an increasing need for museum educators. Glaser recognizes this and addresses the public debate regarding museums as forums for critical social issues. She also examines many of the expected changes in information technology, such as artificial intelligence and virtual reality, and how these will affect collections access and teaching methods. This information is sure to interest younger job seekers or those who are pioneers in technological applications in museums, and it under-

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scores the need for all museum staff to become computer literate. Looking to the future, Glaser writes that gender equity eventually will have a positive influence on museums. She argues that accessibility will have a profound effect on both physical structures, visual design, and intellectual activities. Financial constraints will likely lead to more emphasis on earned revenue, museum-business relationships, collaborations, and possibly mergers among museums. And, although this is not mentioned by the authors, the future will bring more corporate sponsorships and more deaccessioning and long-term, fee-based loans. What these resource-related trends mean for the museum profession is a clear need for more sophisticated knowledge of business, finance, marketing, and negotiation skills.

Noticeably, the authors do not discuss how people should deal with changes in employment or organizational structures. The need for more flexibility in organizations will certainly lead to less hierarchical and more team-based structures, with groups of staff working on a

variety of special projects. Employees will be more mobile, less devoted to a single institution, and more entrepreneurial with a wider portfolio of skills. Indeed there is a move toward the "learning organization"—one that is constantly examining its processes and products and supporting an environment that allows staff to constantly improve itself. These types of changes are intriguing and pivotal for all current and future museum staff. But the authors do not discuss how museums are dealing with these issues. Though they include mission statements and organizational charts in the appendix, they omit some of the more innovative products in the profession and instead rely on fairly standard examples. The work done recently by the Glenbow Museum, Calgary, Alberta, Canada, the Henry Ford Museum & Greenfield Village, Dearborn, Mich., and Ohio's Toledo Museum of Art are good examples of more modern approaches. Today, teams are the norm. The book should have had more description of how teams work in museums to produce

exhibitions, programs, and publications; move collections; design information systems; and develop strategic plans. Glaser also does not mention the role of non-professional staff in the museum. How do blue-collar staff fit in? What are the career-ladder possibilities for non-professional staff? There also is no information about unions, which, although not a major factor, do exist in some museums.

Who will find this book of value? Clearly, the beginning museum professional, the museum studies student, career counselors, museum board members, and volunteers. The mid-career professional can gather much from this text, especially in the descriptions of future trends and in the varied and thoughtful commentary from members of the profession. This book offers a very comprehensive and valuable service to the field. **M**

Martha Morris is deputy director, National Museum of American History, Smithsonian Institution, Washington, D.C.

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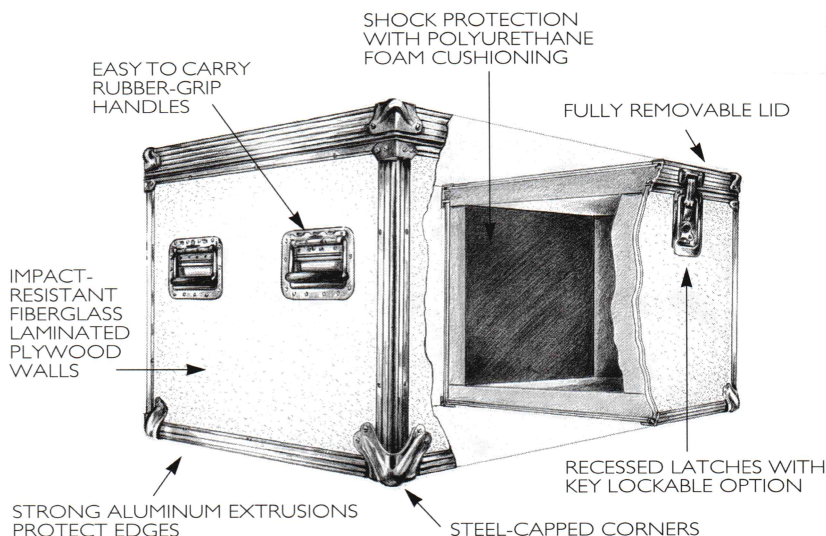
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ramifications are primary agenda items for board, director, and staff.

Ultimately it is a governance issue. But everyone directly involved in managing the museum should provide input to this choice as it will be used to guide a multitude of other decisions. Successful managers harness the energy of conflict to produce learning, which brings different viewpoints instead of polarizing them and pushing people apart. This argument for diversity holds for institutional efficiency and effectiveness as it does in AAM's widely accepted *Excellence and Equity*. In fact a museum's ability to implement broader intellectual, cultural, and ethnic diversity may well be grounded in and limited by the ability of staff and board to successfully harness the diversity of viewpoints that already exist inside the museum.

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BCLM was a "pioneer" in the neighborhood, a solitary attraction in an area that didn't have much else to offer. As a result, tourists had little incentive to leave the attractions of the Inner Harbor.

In fact, many Inner Harbor tourists may have been unaware both of the Blaustein center and BCLM's other sites. "We also lacked funds for a marketing program," says Durel. "It was clear early on that we would not have enough funds to do as much as we wanted to do. I took a chance that what we could do would be enough to draw in an audience, but we were not able to." Unhappy with Durel's efforts, the board asked him to resign in November 1996, announcing that they would seek a chief executive with greater marketing skills. At that time Sally Zinno, a museum management consultant based in Wilmington, Del., was hired as interim director, a position she held until July 1997. Zinno has said that BCLM's troubles stem from a shortage of private donations, corporate sponsorships, and

paying visitors in a mid-size city with 27 other museums.

Thus though BCLM, particularly the African-American exhibitions and programs at the Blaustein Center, was popular with local residents, it never attracted a large tourist audience. But would the locally based exhibitions have been popular with out-of-town visitors? According to Dale Jones, BCLM's former director of interpretation, the answer is yes. "The press is taking the line that people didn't like the museum," he says. "That's not true. My intuitive sense was that people really liked the costumed interpreters, the 1840 House, the hands-on activity exhibits. And the children's exhibit, 'Nipper's Neighborhood,' where children can play in a community-like setting, is the best of its kind I've seen in the country."

Durel concurs that BCLM was popular with Baltimore's schoolchildren and senior citizens. But it never caught on with the general public. "It raises the question: Is it the product or is it the marketing?" he says. Could a savvy public relations program have drawn more visitors to BCLM? Durel feels that those are

important questions, especially for local history museums trying to find new ways of attracting audiences and generating revenue. In recent months, several notable fiscal crises have occurred in similar circumstances, including the Valentine Museum in Richmond, Va., and the Historical Society of Western Pennsylvania, Pittsburgh. Both have struggled after expensive expansion projects.

The situation has Baltimore's museums worried. In late July, the University of Baltimore hosted a three-hour forum that examined the BCLM closing. "The Future of Baltimore's Past: Rethinking the Uses of Local History" attracted more than 100 people, many of whom represented the city's 25 history-related museums. Some speakers felt that BCLM lost visitors because its exhibits were not very good. Some said that the goal of 100,000 visitors was too optimistic, and that museum officials should have done a better job of marketing the museum. Other people said that, rather than wait for city or state support, museums should develop creative partnerships and help each other. Forum participants appointed a

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steering committee to explore ways that Baltimore's surviving museums could better serve audience needs, promote themselves more aggressively, and avoid what happened to BCLM.

As for BCLM, no one is sure what the future might bring. According to former Interim Director Zinno, the museum is working with the city and community organizations to explore options for operating the sites in the future. Repeated calls to the mayor's office were unreturned at press time. "It is highly unlikely that BCLM will reopen looking as it did before," says Fiori. He suggests that the museum officials concentrate on the telling of Baltimore's story rather than on reopening all eight facilities.

"The board will have to make hard decisions, financially," says Durel. "My only hope is that the good work—using history to give the people of Baltimore a sense of their past . . . that will help them to understand the present—doesn't get lost."—*Jane Lusaka*


MNotes continued from page 13

Buildings: General Tips."

Side two of the wheel includes emergency steps for salvaging nine different groups of collections: furniture, ceramics/stone/metal, organic materials, natural history specimens, framed artworks, photographs, books and papers, electronic records, and textiles. By spinning to "framed artworks," one learns that if a wet photograph is stuck to glass it should be left in the frame and dried glass-side down, otherwise it should be removed and dried slowly, image-side up. The user also can consult the salvage glossary in the center of the wheel for definitions of terms such as vacuum drying, vacuum freeze-drying, and interleaving.

While the wheel will not replace the need for outside assistance, it can better prepare institutions to cope during the recovery period immediately following cataclysm. According to FEMA Director

James Lee Witt, "The U.S. is the only country in the world to include cultural resources in its disaster response. The wheel encourages institutions to take action before disaster strikes."

In June the National Task Force on Emergency Response distributed 45,000 free copies of the wheel in waterproof zip-lock bags to 24,000 libraries, 11,000 museums and historical societies, 6,000 historic sites and historic preservation organizations, and 4,000 archives. The Emergency Response and Salvage Wheel was funded by the National Endowment for the Humanities, The St. Paul Companies, Minn., and an anonymous foundation. Plans are underway to adapt the wheel for homeowners and other individuals. If your institution has not received a copy of the wheel or would like to order more, contact: National Task Force on Emergency Response, 3299 K St. N.W., Washington, DC 20007; 888/979-2233. —*Susan Ciccotti* 

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Marketplace

Lista International has turned the old storage system at Schenectady Museum into a relic. The Schenectady Museum's collection of artifacts is comprised of an impressive and eclectic array of items. Minerals, shells, shoes, eyeglasses, fans, toys, dolls, board games, and scientific and technological equipment represent a fraction of the museum's distinctive assortment. Until recently, though, the museum's storage system was far better suited as one of the museum's antiquated artifacts than a functional asset in the museum's overall operation.

The old system was constructed of plywood and two-by-fours. Besides the obvious aesthetic shortcomings, the functional deficiencies were numerous: The shelves were not adjustable, and keeping harmful dust and other contaminants off the artifacts required the use of plastic sheets. The system's worst failing may have been the inefficient use of the museum's overall space. According to Jennifer Draffen, curator of collections, over 70 percent of the museum's storage space was being wasted.

A new storage system would have to accommodate the diverse size, shape, and weight of items in the collection; provide protection against any contaminants that could cause potential damage to the artifacts; and provide a measure of security as well.

To find a system that would suit the museum's unique storage requirements, Draffen turned to Lista International, a leading manufacturer of storage and workspace systems. Lista provided the

Using Lista International's advanced modular storage system, the Schenectady Museum can safely store its fragile artifacts, protecting them from dust and other harmful elements.

museum with a system of 14 double sections of storage walls, which have greatly augmented the museum's storage capabilities. Among the benefits to the museum are: the capacity to store all of the museum's artifacts in almost 36 percent less space than before; protection from dust and other harmful pollutants; greater overall organization and ease of locating artifacts; less need to physically handle artifacts, decreasing wear and tear, thus increasing their life; enhancing aesthetics; and increased security.

Measuring 8 feet in height, 9 feet 8-3/4 inches in width, and with 2 feet of usable depth, the storage walls are arranged in a radial that follows the natural curve of the room. This has provided the museum with the most space-efficient layout possible, eliminating any odd, unusable gaps. Furthermore, this arrangement separates the various collections while simultaneously creating an optional division between storage areas and work spaces.



The storage walls feature a combination of interchangeable drawers, roll-out trays and shelves. Unlike the previous system, the flexibility and adjustability of the trays and shelves means that items of widely varying heights can be accommodated while virtually eliminating wasted space.

According to Draffen, the capacity of the Lista system to store both fragile and heavy items concurrently is indispensable. "The Lista system accommodates all of our artifacts perfectly," she explained. "The fragile items are maintained with the utmost care, while the durability of the storage walls, combined with the high weight capacity of the drawers is well suited to the heavier artifacts." **For additional information, please circle reader response number 100.**

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(Please turn to Marketplace, page 63)

Museum Marketplace

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Marketplace *cont'd from page 61*

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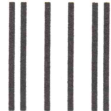
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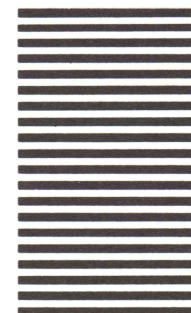
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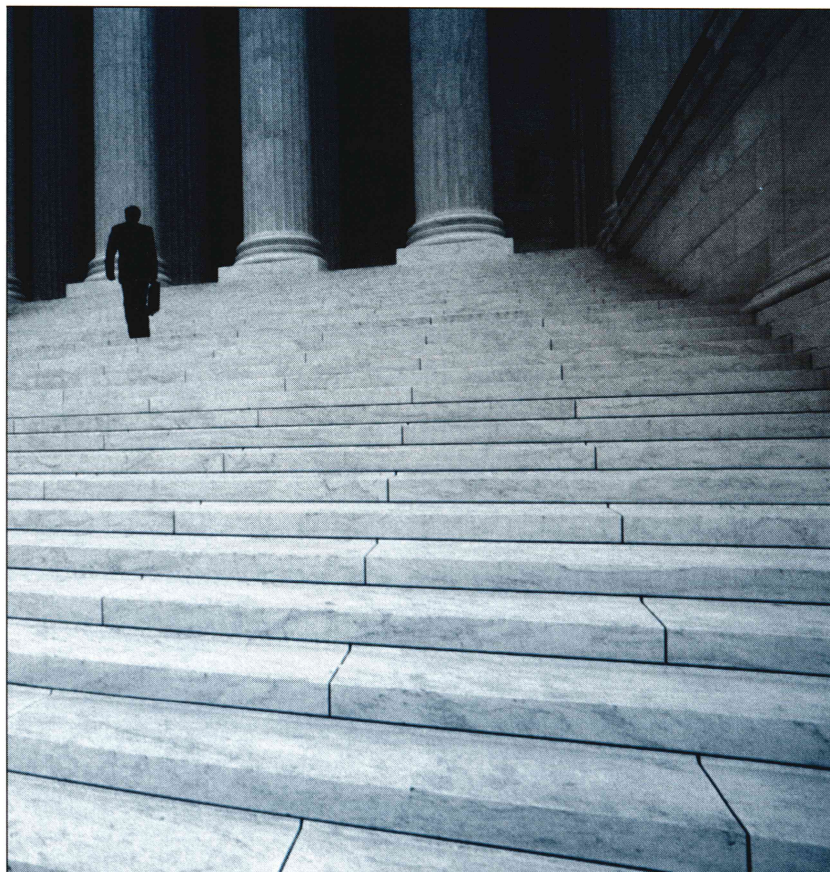
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**A Report to Its Membership
from the
American Association of Museums**

*The mission of this not-for-profit Association shall
be to represent and address the needs of the
museum community, enhancing the ability of
museums to serve the public interest.*

AAM Constitution and Bylaws

STRATEGIC AGENDA



FY 1998-2000

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I. INTRODUCTION

The American Association of Museums’ Strategic Agenda sets forth the Association’s aspirations for FY 1998-2000. It embraces and contemplates what is possible, unrestricted by the pragmatic considerations of specific resource availability. It is meant to stretch the Association’s thinking to enable it to serve the needs of the museum field and the Association’s membership and to reaffirm the significant role our cultural institutions play in society.

This document is composed of five parts: (I) an introduction, (II) a description of the planning process, (III) an outline of challenges and opportunities for the museum field, (IV) a statement of principles for the Association, and (V) a set of goals, strategic areas, and strategies for the Association for FY 1998-2000.

The practical reality of implementing this agenda will be addressed annually as the Board of Directors and staff match resources against the vision set forth here. The Board and staff will annually approve a work plan, guided by the goals, strategic areas, and strategies of this agenda, and may modify the work plan on an ongoing basis. The annual work plan will be tied to this Strategic Agenda and will set out priorities connected to the budget for the fiscal year, including staff, activities, financial resources, and evaluation criteria for each priority.

In developing the Strategic Agenda, AAM’s Board and staff recognized the dual nature of the Association throughout. It is both a corporate entity that represents the museum community and an organization that, by voluntary association, comprises the museum community. The Strategic Agenda reflects this duality.

II. THE PLANNING PROCESS

At its May 1996 meeting, the American Association of Museums Board of Directors recognized that new challenges and opportunities in the museum community, as well as changes in AAM’s governance, called for a targeted initiative to develop a Strategic Agenda for the Association. The Board asked how AAM might remain responsive to the museum field’s continuing and evolving challenges and seize upon new opportunities as we enter the next millennium.

The Board placed the Strategic Agenda on a fast track and asked the Chair of the Board and AAM staff to put together an expedited process. Robert P. Bergman, Chair of the AAM Board of Directors, appointed a Strategic Planning Committee (see Appendix) broadly representative of the museum community, with members both from inside and from outside of the AAM Board. Nina M. Archabal, Immediate Past Chair of the AAM Board of Directors, was appointed to chair the committee.

The Board asked the committee to undertake the first part of the Association's Strategic Agenda: the development of a set of visionary, yet achievable, goals and key strategic areas for the three years from FY 1998-2000. Through the fall of 1996, the planning committee solicited input and participation from the many groups (see Appendix) with whom AAM works and whom AAM serves. In the winter of 1996-1997, the committee members analyzed and condensed the baseline data submitted by other groups and by AAM senior staff, and provided their own diverse perspectives on the needs and direction of the museum community.

In January 1997, the planning committee completed its work on the challenges and opportunities, the statement of principles, and the goals and strategic areas parts of the Strategic Agenda. AAM Board members discussed the planning committee's document and incorporated additional ideas from Board members. The Board gave preliminary approval to the first part of the Strategic Agenda in March 1997. The Board also circulated the goals and strategic areas sections to AAM's three Councils, the Accreditation Commission, and the AAM/ICOM Board and asked whether those groups were already doing work appropriate to AAM's goals and strategic areas.

In March 1997, the Board asked AAM staff to move forward with development of the second part of the Strategic Agenda: a set of specific strategies for the Association to accompany the goals and strategic areas section. The entire AAM staff participated in exercises to determine how best to respond to the Board's goals and key strategic areas, both through existing services and through new activities. The staff submitted its draft strategies for the Board's consideration in April 1997.

After review and final modifications, the entire Strategic Agenda was approved by the AAM Board of Directors on April 25, 1997. The Board also recognized that changing challenges and opportunities may require AAM to adjust its agenda in mid-course. Accordingly, the Association's Board will review the Strategic Agenda annually.

III. CHALLENGES AND OPPORTUNITIES

Museums will face a variety of internal and external challenges and opportunities over the next three years. Many of these will be familiar, but others will evolve quickly. The challenges and opportunities that different museums and museum disciplines will face will vary considerably, even within single disciplines.

Anticipating the next three years, AAM's Board of Directors, AAM's three Councils, the AAM/ICOM Board, the Accreditation Commission, AAM's staff, and the AAM membership identified the following challenges and opportunities among the conditions of the environment in which museums and their associations will exist.

- ▶ The work of museums and their continuing evolution is not always understood by the community at large. Museums will need to find ways to communicate their value to society.
- ▶ New technologies are developing at an accelerating rate. Museums will need to remain current with these technologies and to use them effectively and efficiently in all phases of their programs and operations.
- ▶ Continuing demographic change and the growth of a borderless global environment is changing the context in which museums work. Museums will need to become more responsive to the resulting diversity in every aspect of their governance, staffing, and program and audience development.
- ▶ Continuing population growth and economic development threaten the remaining sources of both cultural and biological diversity. Museums will need to commit themselves to working actively in collaboration with communities, organizations, and governments to identify, understand, preserve, and interpret these irreplaceable parts of our world.
- ▶ Changes in where people choose to live, how they work, and how they spend

their leisure time will affect how museums are staffed, visited, and used. Museums will need to respond to these trends.

▶ New developments in education are giving greater emphasis to participatory learning. Museums will need to respond to the trend toward more participatory learning and to other changes in educational pedagogy as they emerge.

▶ Partnership and collaboration are increasingly important means through which organizations of every kind accomplish their purposes. Museums will need to develop greater facility in forging innovative and mutually advantageous partnerships and collaborative arrangements with other not-for-profit institutions, with business enterprises, and with government at every level.

▶ As governmental support for museums remains static or even decreases, there is increasingly tight competition for the available private support. Museums will need to develop new funding sources and/or increase their capacity to generate earned income.

▶ Not-for-profit institutions are under pressure to increase their accountability to the public, to individual and institutional donors, and to government at every level for the resources with which they have been entrusted. Museums will need to meet the higher standard.

▶ In the public's perception, the distinction between for-profit and not-for-profit organizations and/or between cultural and recreational organizations is blurring. Under these circumstances, museums will need to assert the uniqueness of their intellectual identities and their public service missions.

▶ There is a potential for greater regulation at all levels of government and for erosion of the tax-exempt status that museums currently enjoy. Museums will need to demonstrate that they can regulate themselves effectively and that their tax-exempt status is warranted.

▶ In the for-profit sector, the adoption of best practices has become a widespread technique for improving organizational performance. Museums will need to adopt this technique so that a knowledge of the best practices to be found in high-performing museums can be disseminated as rapidly as possible to museums of every kind.

▶ The operation of museums has important economic consequences for their communities. Museums will need to have access to and to disseminate information about the economic impact of museums.

▶ Museums require a pool of talented, creative, and diverse individuals who will be attracted to museum work. Museums will need to find ways to assure that individuals receive appropriate training.

▶ There are increasing reports of burn out among senior museum executives and a consequential drain of highly experienced individuals from the field. Museums will need to understand this phenomenon and to develop the means to cope with it.

▶ The challenges and opportunities facing museums will require a managerial response of the highest order. Museums will need to develop and to maintain a maximum degree of competency at every level of their organizations including governance, paid staff, and volunteers.

IV. STATEMENT OF PRINCIPLES

The following section provides a Statement of Principles for the Association for the period from FY 1998-2000. New or changing challenges and opportunities may require AAM to re-examine these principles annually.

▶ Museums provide societies with ongoing opportunities to consider the wonder and complexity of humankind and its universe. AAM exists to assist museums in

fulfilling their public service responsibilities. The Association can fulfill its unique role by helping museums and those associated with them to meet the challenges and opportunities they face now and in the future.

► Museums are diverse organizations in a diverse society. The Association should reflect this in its services, staff, and Board composition, and should provide leadership to help museums to achieve their goals in this area.

► Museums have a responsibility to society for the natural and cultural resources entrusted to their care. They are accountable for the care, study, interpretation, and repose of their collections. In this world of rapidly vanishing cultures, environments, and life forms, museums must take leadership in identifying, understanding, preserving, and interpreting these irreplaceable parts of our world. Museums are also responsible for creating and maintaining a shared relationship between the public and the intellectual and physical content of their collections. The Association should guide museums to strategies that demonstrate museums' public accountability.

► Museums are educational institutions. They offer a range of opportunities for learning and can address many different learning styles. Museums have the capacity to help people achieve a sense of personal identity, of membership in a community, and of perspective on the future. The Association should help museums develop themselves as educational institutions. Further, the Association should actively communicate the role of museums in society as educational institutions to all levels of decision makers and to the public.

► Museums in the United States exist as part of a global society. They offer opportunities for building understanding about cultures, religions, politics, social and economic trends, and the environment. The Association should incorporate a global perspective in its work. It should help museums to understand better their international context and role and help them to communicate that role to the international community.

► The role of public service in museums is constantly evolving. Museums are both community institutions and institutions that can build community. They can be places where ideas and civic values can be discussed and shared. They participate in and are important to the economic life of their communities. The Association should assist museums with their efforts to express and fulfill varied roles in their communities.

V. GOALS, STRATEGIC AREAS, AND STRATEGIES

Section V-1 outlines the Association's five primary three-year goals and indicates key strategic areas to accompany each goal for FY 1998-2000. Section V-2 sets forth specific strategies to be pursued under each key strategic area. Taken together, the goals, strategic areas, and strategies describe the scope of the Association's activities.

The Board will annually approve a work plan that establishes priorities based on the Strategic Agenda. The work plan will be tied to the budget for the fiscal year and will include staff, activities, financial resources, and evaluation criteria for each priority. The selection of priorities will depend on the evolving needs of the field, the current operating environment, and the resources that can be identified at the time. As such, the goals, strategic areas, and strategies are not listed in order of priority here. As circumstances change over the next three years, the Board may decide to adopt new initiatives to respond to the prevailing environment.

V-1. GOALS AND STRATEGIC AREAS

A. LEADERSHIP

To help museums anticipate and respond to issues so that they may succeed in serving communities' changing needs.

- ▶ Continue to work to promote diversity in museum staff, programs, governance, and audiences.
- ▶ Elevate and promote intellectual discourse in the field.
- ▶ Work with museums to explore the changing relationship between museums and the community at large.
- ▶ Help museums to expand and to describe their roles as educational institutions in the broadest sense.
- ▶ Provide advocacy and programmatic support for those doing exemplary research on learning in museums.
- ▶ Assess the need for an examination of a vision for the future of the museum field.
- ▶ Help museums to expand their vision to incorporate a global perspective that will prepare them for their roles in an increasingly global society.

B. SERVICES TO THE FIELD

To provide innovative and high quality services that address the changing needs of the museum community.

- ▶ Evaluate existing service programs to assure relevance to today's museum community and continue, adapt, or eliminate any services accordingly.
- ▶ Develop new service programs that respond to the needs of the field.
- ▶ Provide examples and support for the creation of successful partnerships and alliances for museums and their communities to serve the public interest.
- ▶ Assess both the need for additional data about the museum community and AAM's capacity to collect, analyze, and disseminate this information.
- ▶ Encourage and disseminate information about creative partnerships that can help museums achieve significant program and financial objectives.

C. REPRESENTATION

To serve as the national voice for the museum community.

- ▶ Advocate for the museum community and strengthen AAM's capacity to identify, influence, and respond to public policy issues, primarily at the national level.
- ▶ Assist regional and local organizations, and individual institutions, with identifying, influencing, and responding to public policy issues.
- ▶ Advance public understanding of museums and the full range of values they provide to their communities.

D. STANDARD SETTING

To establish and promote standards that define and advance museums' core principles and practices, emphasizing public accountability.

- ▶ Assure that standard setting activities, such as accreditation, remain responsive to and reflective of changes in the field.
- ▶ Develop and disseminate information about the skills and knowledge which are part of successful museum leadership.
- ▶ Develop and disseminate information about the best practices for successful institutions.
- ▶ Seek ways to address the appropriateness of curricula of degree-granting museum programs.
- ▶ Promulgate the basic standards for museum practice.

E. ORGANIZATIONAL

To develop and utilize human and capital resources in support of AAM's goals and strategies.

- ▶ Increase resources to advance programs and services.
- ▶ Maintain a strong financial position providing for the long-term viability and health of the Association.
- ▶ Assess, and adjust if appropriate, the way in which AAM's dues are structured and seek to engage a larger segment of the museum community in providing the financial resources necessary to advance the AAM mission.
- ▶ Continually assess AAM's structure and governance, making adjustments to assure maximum responsiveness, efficiency, and effectiveness.
- ▶ Foster the growth and development of and engage in succession planning for AAM leaders and staff.
- ▶ Use information technology both to manage the Association efficiently and to provide information and program services to the museum community.

V-2. STRATEGIC AREAS AND STRATEGIES

A. LEADERSHIP

Goal: To help museums anticipate and respond to issues so that they may succeed in serving communities' changing needs.

STRATEGIC AREA

STRATEGIES

Continue to work to promote diversity in museum staff, programs, governance, and audiences.

- ▶ Reaffirm and adapt AAM's policy statements to encourage museums, as appropriate, to diversify their staffs, boards, and volunteer groups.
- ▶ Encourage AAM's three Councils and other affiliated groups to incorporate greater diversity into their memberships, programs, and goals.
- ▶ Seek to provide diverse nominees for the AAM Board through the Nominating Committee.
- ▶ Seek and appoint members from diverse backgrounds to serve on AAM committees.
- ▶ Assist museums to reach audiences from diverse backgrounds through programs and educational opportunities.
- ▶ Seek participants from diverse backgrounds for AAM's professional education seminars.
- ▶ Continue the scholarship program for AAM's annual meeting, and other professional education programs, with a priority given to museum professionals of color.

Elevate and promote intellectual discourse in the field.

- ▶ Research and seek the most knowledgeable and current speakers from inside and outside the field to speak at the annual meeting and professional education programs.
- ▶ Seek out and encourage professionals to write on significant issues and trends in the museum field and disseminate those writings through *Museum News*, *Aviso*, and other media.
- ▶ Distribute, through the Association's bookstore and other services, publications that promote and support intellectual discourse in the field.
- ▶ Assist museums with responding to changes in the museum field and the broader environment through the Association's Technical Information Service and other services.

	<ul style="list-style-type: none"> ▶ Adapt the Association's annual meeting session development procedures to cultivate analytic sessions. ▶ Provide a venue at the annual meeting for scholars and others to present research reports and findings, and disseminate the proceedings as appropriate.
<i>Work with museums to explore the changing relationship between museums and the community at large.</i>	<ul style="list-style-type: none"> ▶ Encourage peers to become more involved with community organizations and agencies. ▶ Share examples of successful community programs through annual meeting sessions, <i>Museum News</i>, and other appropriate vehicles. ▶ Cooperate with appropriate organizations and agencies on award programs for exemplary projects that create valuable relationships between museums and their communities. ▶ Evaluate the feasibility of initiating and supporting research on the role of museums in communities.
<i>Help museums to expand and to describe their roles as educational institutions in the broadest sense.</i>	<ul style="list-style-type: none"> ▶ Develop a message to articulate the value and potential of museums as educational institutions in their communities. ▶ Work to expand public awareness of the value and potential of museums as educational institutions, using the message developed by the Board. ▶ Work with educational organizations to promote museums as educational resources. ▶ Offer museums opportunities, through the Accreditation and Museum Standards Program and the Museum Assessment Program, to promote greater institutional emphases on education. ▶ Work with public and private entities, such as Head Start and the Department of Education, to encourage successful education programs with museums for individuals and families at risk. ▶ Assist museums in their efforts to create collaborative projects with schools, universities, and other centers of learning.
<i>Provide advocacy and programmatic support for those doing exemplary research on learning in museums.</i>	<ul style="list-style-type: none"> ▶ Identify existing, ongoing, and new research on learning in museums. ▶ Advocate for more funding for research on learning in museums from public and private sources. ▶ Disseminate to a wider audience the results of conferences and meetings on exemplary research on learning in museums.
<i>Assess the need for an examination of a vision for the future of the museum field.</i>	<ul style="list-style-type: none"> ▶ Analyze and consider the process and funding of a study and task force to address the future of the museum field in the 21st century.
<i>Help museums to expand their vision to incorporate a global perspective that will prepare them for their roles in an increasingly global society.</i>	<ul style="list-style-type: none"> ▶ Actively recruit international expertise and integrate international perspectives into seminars, publications, and meetings. ▶ Serve as a leader in the United States on implementing our participation in the International Museum Day project. ▶ Serve as a facilitator for greater collaboration and communication between U.S. museums and international museum communities.

B. SERVICES TO THE FIELD

Goal: To provide innovative and high quality services that address the changing needs of the museum community.

STRATEGIC AREA

STRATEGIES

Evaluate existing service programs to assure relevance to today's museum community and continue, adapt, or eliminate any services accordingly.

- ▶ Develop service evaluation criteria, and present those criteria to the Board for consideration, discussion, and approval.
- ▶ Evaluate one or two services every year, using the criteria approved by the Board.
- ▶ Undertake a needs assessment of the museum field, incorporating information from the Association's entire service environment.
- ▶ Respond to existing and emerging needs of the field by adapting the Association's existing services as appropriate.
- ▶ Eliminate services that are found to be no longer relevant to the field's needs.
- ▶ Pursue a consistent effort to improve the effectiveness and cost efficiency of the Association's services.
- ▶ Aggressively promote the value of the Association's retained services.
- ▶ Examine the feasibility of adapting the Association's services to other constituencies where appropriate.

Develop new service programs that respond to the needs of the field.

- ▶ Study the services being provided by the Association to identify successful service areas and any gaps between the field's needs and the Association's services.
- ▶ Respond by initiating new services to the extent that the Association's resources will prudently allow.
- ▶ Develop services to help museums to take advantage of new technology in internal operations and external communications.
- ▶ Explore the feasibility of, and need for, a professional development museum certificate program.

Provide examples and support for the creation of successful partnerships and alliances for museums and their communities to serve the public interest.

- ▶ Recognize successful partnerships between institutions, between institutions and the public sector, between institutions and the commercial sector, and between U.S. institutions and international institutions.
- ▶ Examine the feasibility of a museum professional exchange program.
- ▶ Seek to identify external funding sources for partnership initiatives in the museum field.

Assess both the need for additional data about the museum community and AAM's capacity to collect, analyze, and disseminate this information.

- ▶ Assess the Association's capacity to undertake research about the activities of the museum community.
- ▶ Identify the most critical data needed to represent and to describe the impact of the museum field.
- ▶ Seek to identify existing sources of information about museums.
- ▶ Assess the need for the Association to conduct public polling about how museums are perceived by the public.
- ▶ Work to make information collected for *The Official Museum Directory* available in usable formats for research and marketing.

Encourage and disseminate information about creative partnerships that can help museums achieve significant program and financial objectives.

- ▶ Work with museums to study how institutions' collections and intellectual assets can best be used to reach a broader public and to provide for museums' financial support.
- ▶ Work with museums and other museum organizations to study ways to enhance the protection of collections and intellectual assets of museums.
- ▶ Disseminate information about the continuing relationship between museums and the private philanthropic community.

- ▶ Provide information, as appropriate, about significant funding sources and strategies for museums.
- ▶ Promote the Medal of Philanthropy as a vehicle to encourage private philanthropy and to recognize exemplary partnerships.
- ▶ Promote the Funders Forum and other related activities at the AAM annual meeting.

C. REPRESENTATION

Goal: To serve as the national voice for the museum community.

STRATEGIC AREA

STRATEGIES

Advocate for the museum community and strengthen AAM's capacity to identify, influence, and respond to public policy issues, primarily at the national level.

- ▶ Take a leading role on public policy issues in two primary policy areas: issues that have the potential to affect the entire museum community, and issues for which the museum community is the most significantly concerned group.
- ▶ Advocate to appropriate public officials and agencies the importance and relevance of museums to their communities.
- ▶ Maintain and, as appropriate, increase financial and other resources to identify, influence, and respond to public policy issues.
- ▶ Conduct research on public policy issues.
- ▶ Keep the Board, the membership, and the museum field apprised of developments on key public policy issues.
- ▶ Work to enhance the effectiveness of the museum community as public policy advocates.
- ▶ Continue to build and train the Museum Advocacy Team, AAM's grassroots network of advocates for the museum community.
- ▶ Work in coalitions on emerging issues and examine the need for increased advocacy training for grassroots activities.

Assist regional and local organizations, and individual institutions, with identifying, influencing, and responding to public policy issues.

- ▶ Maintain and increase collaborations with regional and local organizations and individual institutions on public policy issues.
- ▶ Maintain and increase collaborations with individual institutions and with other museum associations both by providing direct public policy information and training, and by offering expertise on how to create effective partnerships with others.
- ▶ Examine the feasibility of disseminating policy information by electronic media and other new means.
- ▶ Foster greater communication with and among other associations in the museum community.
- ▶ Examine the feasibility of instituting awards for outstanding public policy work.

Advance public understanding of museums and the full range of values they provide to their communities.

- ▶ Advocate to the broad public the importance and relevance of museums to their communities.
- ▶ Develop a plan for an active media program to advance public understanding of the importance and relevance of museums to their communities.
- ▶ Identify existing research on the importance and relevance of museums to their communities.
- ▶ Conduct research on the importance and relevance of museums to their communities.

- ▶ Publicize the work of museum professionals and the careers available in museums.
- ▶ Make information about the interaction of U.S. museums with their communities available to the international museum community.

D. STANDARD SETTING

Goal: To establish and promote standards that define and advance museums' core principles and practices, emphasizing public accountability.

STRATEGIC AREA

STRATEGIES

Assure that standard setting activities, such as accreditation, remain responsive to and reflective of changes in the field.

- ▶ Allocate adequate resources to ensure that the Accreditation and Museum Standards Program and the Museum Assessment Program remain viable and responsive to the needs of the field.
- ▶ Recruit and train peer reviewers who represent the entire spectrum of museum disciplines and sizes.
- ▶ Develop and conduct a comprehensive program and process evaluation of the Accreditation and Museum Standards Program and the Museum Assessment Program.
- ▶ Promote the value of the Association's standards programs to museums of all types and sizes.

Develop and disseminate information about the skills and knowledge that are part of successful museum leadership.

- ▶ Provide arenas for the identification, recognition, discussion, and analysis of the characteristics that contribute to successful museum leadership.
- ▶ Develop services to identify leadership opportunities within the museum field and to disseminate that information.
- ▶ Encourage academic research on the characteristics that contribute to successful museum leadership.

Develop and disseminate information about the best practices for successful institutions.

- ▶ Maintain an ongoing dialogue with others to advance and articulate museum standards, best practices, and institutional ethics.
- ▶ Identify and recognize museums practicing exemplary leadership in the areas of museum standards, best practices, and institutional ethics.
- ▶ Disseminate research on best practices, both from the not-for-profit sector and from the for-profit sector, through the Association's bookstore, the Technical Information Service, the AAM annual meeting, *Museum News*, and other avenues.
- ▶ Focus the work of the Accreditation and Museum Standards Program, the Museum Assessment Program, and the peer reviewers participating in those programs on identifying best practices for successful institutions, and disseminate information on best practices through the Association's Technical Information Service.

Seek ways to address the appropriateness of curricula of degree-granting museum programs.

- ▶ Articulate the standards that should be used in developing programs and courses of study in museum-related degree and certificate granting programs.
- ▶ Explore the feasibility of producing a model or recommended standard for museum studies curricula at educational institutions offering museum studies programs.
- ▶ Work to increase the communication between museum studies faculty and the museum community.
- ▶ Research the need for, and the feasibility of, designating and developing teaching museums as training environments for museum professionals.

Promulgate the basic standards for museum practice.

- ▶ Affirm to the public the Association's commitment to serve as the field's clearing-house for information about museum standards, best practices, and institutional ethics.
- ▶ Participate in meetings, seminars, and collaborations to track significant trends and shifts in museum practice.
- ▶ Distribute current knowledge and research about museum standards through the Association's Technical Information Service, the AAM bookstore, and other services.
- ▶ Examine the feasibility of instituting an awards program to identify and recognize exemplary museum exhibitions.

E. ORGANIZATIONAL

Goal: To develop and utilize human and capital resources in support of AAM's goals and strategies.

STRATEGIC AREA

STRATEGIES

Increase resources to advance programs and services.

- ▶ Set clear goals for the performance of the Association's investment portfolio.
- ▶ Identify, plan, and implement necessary strategies for the Association's investment portfolio in order to seek new and expanded funding for AAM programs and services.
- ▶ Develop a research function to grow the Association's revenue base and provide information about museums to the Association.

Maintain a strong financial position providing for the long-term viability and health of the Association.

- ▶ Research and select new accounting and management software to improve planning and operations.
- ▶ Develop a marketing plan to promote the Association's membership and services to a broader market.
- ▶ Establish clear, measurable goals for evaluating the financial performance of all areas of the Association.

Assess, and adjust if appropriate, the way in which AAM's dues are structured and seek to engage a larger segment of the museum community in providing the financial resources necessary to advance the AAM mission.

- ▶ Research and analyze demographic information about the museum field in order to identify and target potential new members.
- ▶ Create a membership development plan to evaluate current dues structures and membership policies, and make recommendations to the Board.

Continually assess AAM's structure and governance, making adjustments to assure maximum responsiveness, efficiency, and effectiveness.

- ▶ Assess the Association's new governance structure and process to determine any needed changes.
- ▶ Seek annual advice from the Association's stakeholders, including, but not limited to, AAM's three Councils, on the responsiveness, efficiency, and effectiveness of the governance structure and process.
- ▶ Develop criteria to evaluate the structure, efficiency, and effectiveness of the Association's operations, and make recommendations to the Board as appropriate.
- ▶ Apply those criteria to operational excellence across the Association in areas including, but not limited to, internal communication, structural flexibility, programmatic innovation, organizational responsiveness, decision-making efficiency, and educational support.

Foster the growth and development of and engage in succession planning for AAM leaders and staff.

- ▶ Create a plan for providing leadership development opportunities for the Association's elected and appointed leaders.
- ▶ Develop a succession plan for the Association's executive leadership.

- ▶ Provide opportunities for the sustained professional growth and development of the Association's staff.
- ▶ Seek to ensure that the AAM staff and Board are knowledgeable about the Association's mission, history, and culture.
- ▶ Analyze the human resources required to carry out the Association's goals and strategies, and recommend a plan to address the staffing needs.
- ▶ Uphold AAM's commitment to ensuring diversity within the Association's operations and, as appropriate, implement a formal affirmative action program.

Use information technology both to manage the Association efficiently and to provide information and program services to the museum community.

- ▶ Create a reliable, cost-effective, and networked information system to support achievement of the Association's mission.
- ▶ Advance electronic communication, both internal and external, throughout the Association's services and operations.

APPENDIX: AAM BOARD, PLANNING COMMITTEE, AND PARTICIPATING GROUPS

AMERICAN ASSOCIATION OF MUSEUMS BOARD OF DIRECTORS: 1996-1997

CHAIR OF THE BOARD

Robert P. Bergman

*The Cleveland Museum of Art,
Cleveland, OH*

VICE CHAIR OF THE BOARD

Arthur H. Wolf

The High Desert Museum, Bend, OR

IMMEDIATE

PAST CHAIR OF THE BOARD

Nina M. Archabal

Minnesota Historical Society, St. Paul, MN

BOARD MEMBERS

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Missouri Historical Society, St. Louis, MO

Gail Becker

Louisville Science Center, Louisville, KY

Betsy Bennett

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E. John Bullard

New Orleans Museum of Art, New Orleans, LA

Kimberly Camp

*Museum of African American History,
Detroit, MI*

Louis Casagrande

The Children's Museum, Boston, MA

Spencer R. Crew

*National Museum of American History,
Washington, DC*

Raylene Decatur

Denver Museum of Natural History, Denver, CO

W. Donald Duckworth

Bishop Museum, Honolulu, HI

Warren Iliff

*The Long Beach Aquarium of the Pacific,
Long Beach, CA*

Jane Jerry

*Cheekwood-Tennessee Botanical Gardens
& Museum of Art, Nashville, TN*

James E. King

*Cleveland Museum of Natural History,
Cleveland, OH*

Cheryl McClenney-Brooker

Philadelphia Museum of Art, Philadelphia, PA

Juanita Moore

Memphis, TN

George P. Moynihan

Pacific Science Center, Seattle, WA

William Moynihan

Milwaukee Public Museum, Milwaukee, WI

Mimi Quintanilla

The Witte Museum, San Antonio, TX

Helen Valdez

Mexican Fine Arts Center Museum, Chicago, IL

STRATEGIC PLANNING COMMITTEE

COMMITTEE CHAIR

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*Director, Minnesota Historical Society,
St. Paul, MN*

CONSULTANT

Linda J. Shinn

*Principal, Consensus Management Group,
Fairfax Station, VA*

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President, Carnegie Institute, Pittsburgh, PA

Louis Casagrande

*Executive Director, The Children's Museum,
Boston, MA*

Spencer R. Crew

*Director, National Museum of American
History, Washington, DC*

Raylene Decatur

*President and CEO, Denver Museum of
Natural History, Denver, CO*

John E. Fleming

*Director, National Afro-American Museum
and Cultural Center, Wilberforce, OH*

Elaine Heumann Gurian

Consultant, Arlington, VA

Nancy Kolb

*President and Executive Director, Please Touch
Museum, Philadelphia, PA*

Juanita Moore

Consultant, Memphis, TN

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Museum, Milwaukee, WI*

Stephen Weil

*Senior Scholar (Emeritus), Smithsonian
Institution, Washington, DC*

W. Richard West, Jr.

*Director, National Museum of the American
Indian, Washington, DC*

EX OFFICIO MEMBERS

Robert P. Bergman

*Director, The Cleveland Museum of Art,
Cleveland, OH*

Arthur H. Wolf

President, The High Desert Museum, Bend, OR

AAM STAFF

Edward H. Able, Jr.

Edward Brenner

Cameron Kitchin

Kathleen Orem

Patricia Williams

PARTICIPATING GROUPS

The following groups were asked to submit input to the AAM strategic planning process:

AAM Board of Directors

(each Board member, as well as the Board as a whole)

AAM membership, through a notice in Aviso

Council of Affiliates

(each member, as well as the Council as a whole)

Council of Regional Associations

(each member, as well as the Council as a whole)

Council of Standing Professional Committees

(each member, as well as the Council as a whole)

Accreditation Commission

AAM/ICOM Board

AAM National Advisory Committee on Education

Joint AAM Board of Directors and Councils

(through May 1996 visioning session)

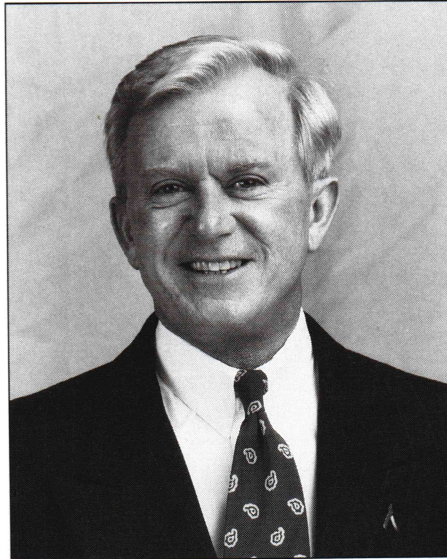
AAM senior staff

What's Fair?

BY EDWARD H. ABLE, JR.

This edition of *Museum News* examines the current debate over what constitutes fair use of copyrighted works in the digital age. It is a topic of particular importance to museums. As simultaneous rights holders and users of copyrighted images, museums are actively engaged in the policies and practices involving fair use. The concerns and opportunities presented by the emerging digital market have brought this issue into even greater focus. As Christine Steiner, secretary and general counsel of the J. Paul Getty Trust, writes in the cover story, "A grounded understanding of fair use becomes more urgent with the growth of the Internet because museums are pressed to publish catalogues, collections, and digital archives on-line; simultaneously, they are challenged to manage intellectual property, facilitate transactions, and prevent the unauthorized use of images."

During the past year, AAM has worked with other national organizations to develop a consensus on the uses of copyrighted works in the digital environment. In April 1996, AAM and the Association of Art Museum Directors agreed to co-chair the Conference on Fair Use (CONFU) subgroup on Educational Fair Use Guidelines for Digital Images. From April to October 1996, dozens of organizations worked on a compromise proposal on fair use for digital images. AAM strived to balance the guidelines so that they would maintain copyright controls while providing fair use defenses for educational purposes. The resulting guidelines represented a number of compromises, some of which were acceptable to the entire group and others that were controversial. AAM sought the opinions of its board, members, and standing professional committees, as well as the museum community. Several museums stated that there was a need for clear and balanced guidance on fair use of digital images and encouraged us to endorse the guidelines. Other institutions, question-



Edward H. Able, Jr., is president and CEO of the American Association of Museums.

ing whether guidelines might be premature or burdensome, recommended against endorsement.

On April 25, 1997, the AAM Board of Directors voted to endorse the *Proposal for Educational Fair Use Guidelines for Digital Images* in order to begin a one-year trial study of the document (which is accessible from AAM's Web site at www.aam-us.org). CONFU will reconvene in May 1998, and in the meantime a steering committee, which includes a representative from AAM, will determine the meeting's agenda. A final report on the 1997 conference will be published soon.

AAM also has been working with other nonprofit organizations to build a consensus within the cultural and educational community on copyright in the digital age. The product of that effort is *Basic Principles for Managing Intellectual Property in a Digital Environment*, prepared by the National Humanities Alliance's Committee on Libraries and Intellectual Property, of which AAM is a member. The principles state that copyright law provisions for digital works should maintain the balance among the interests of creators, copyright owners,

and the public embodied in the current legal structure. AAM has endorsed the principles, which can be found on the Web site of the National Initiative for a Networked Cultural Heritage at www.ninch.cni.org. We also have begun work on a copyright and trademark primer for museums, scheduled to be distributed to the field in early 1999.

The conversation about fair use is far from over. Last December, the United States signed the World Intellectual Property Organization copyright treaty, an international agreement that seeks to update copyright law for works delivered in digital form. Legislation that would implement the treaty was introduced in Congress in late July. It would create penalties for manufacturers of technology whose primary purpose is to circumvent security measures (e.g., encryption) that control access to copyrighted works. It also would penalize people who remove or alter information identifying a work's copyright status and ownership. Other issues likely to be debated include on-line service provider liability and adapting current copyright law so that it clarifies that fair use extends into the digital environment.

I encourage you to become involved in the fair use discussion. During the next eight months, museums of all types, sizes, and disciplines could use the study period to test the CONFU recommendations. Examine the guidelines' effects on practice, and let us know what you think. AAM will review your comments and recommend revisiting the guidelines in some areas, if appropriate. CONFU has provided a healthy first step to opening communication among many parties with different perspectives on fair use in the digital environment. AAM will continue to represent museums as both owners and users of copyrighted materials. With your help, we can ensure that any changes to the current copyright law will maintain a balance between those interests. **M**

Coda

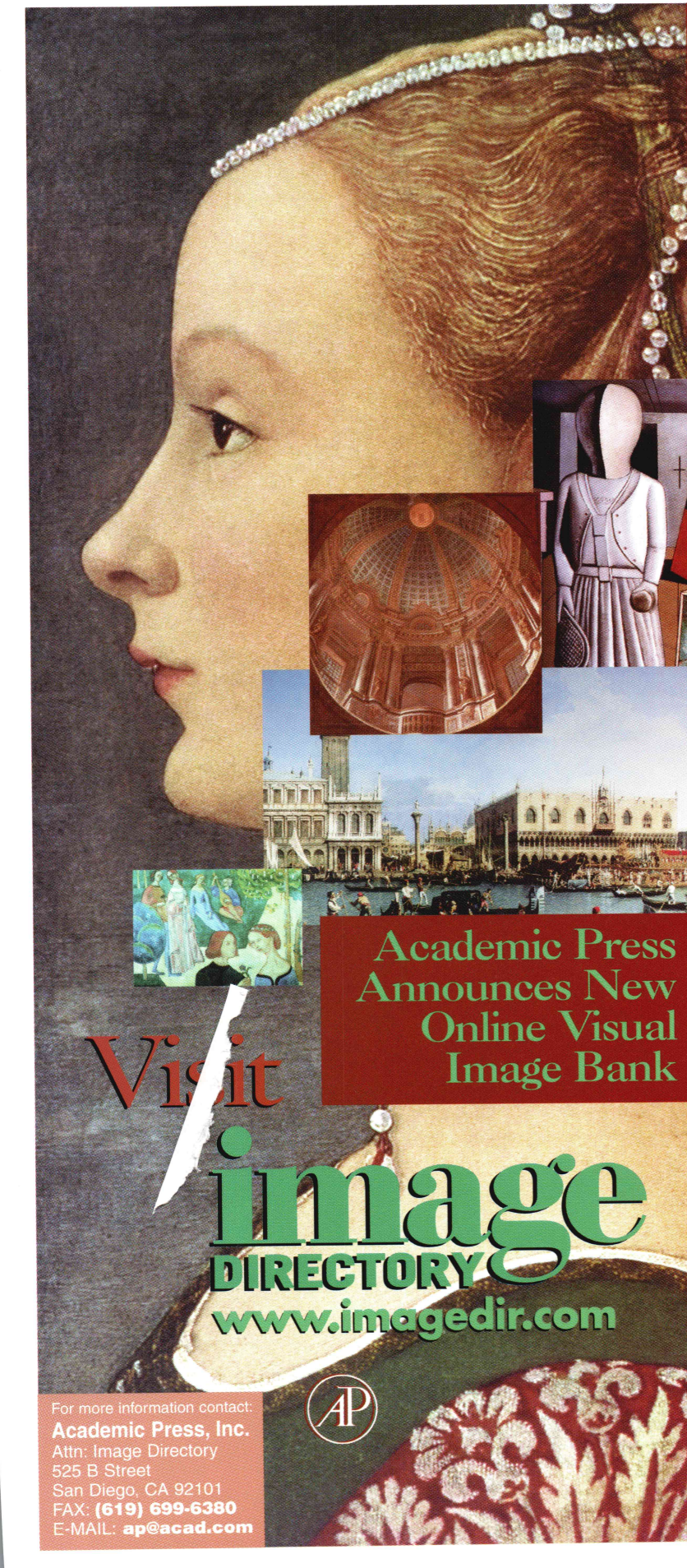


Sebastião Salgado, *Coal Mine, India*, 1989 (gelatin silver print). From "Workers, An Archaeology of the Industrial Age: Photographs by Sebastião Salgado," on display at the Museum of Contemporary Art, San Diego, through Aug. 31, 1997.

"Once we reach adulthood, there are a number of environments that can become communities and affect how we perceive ourselves. The primary entity that affects us in this manner is our work environment. But we might also be strongly influenced by other environments that we might find ourselves exposed to as a matter of personal choice or need, or necessity, or societal determinant. These might include hospitals, recreational facilities, correctional facilities, religious institutions, recreational facilities, and cultural institutions. In many of these places, we learn a language, a culture, rules, and sometimes a specific way of dressing. Our very survival is dependent upon our effective mastery of the tasks set before us and our grasp of the political situation that we find ourselves in."

—Claudine K. Brown

From "The Museum's Role in a Multicultural Society," *Patterns in Practice: Selections from the Journal of Museum Education*, Museum Education Roundtable, 1992. Copyright © 1992 Museum Education Roundtable, Washington, D.C. Reprinted with permission.



The **Image Directory** is the first database of arts images gathered from museums and collections around the world. A comprehensive online visual resource of accurate, up-to-the-minute, and authoritative information, this unique reference will be essential for anyone who holds or uses arts images, including:

- ◆ Museum professionals
- ◆ Libraries
- ◆ Students
- ◆ Galleries and auction houses
- ◆ Publishers
- ◆ Stock photo houses
- ◆ Advertising and public relations agencies
- ◆ Artists and filmmakers
- ◆ Architects and graphic designers
- ◆ College and university professors
- ◆ The computer, fashion, and film industries

With 60,000 records to date, the **Image Directory** is expected to contain more than 100,000 by its final launch this Fall. Among the first institutions to become image providers are The Museum of Modern Art, The Brooklyn Museum, and the Chicago Architecture Foundation, as well as a number of European museums. The online site, currently under development, can be previewed at www.imagedir.com.

The full spectrum of the arts will be represented, including painting, sculpture, architecture, textiles, photography, ethnographic objects, engravings, decorative objects, and toys. Many entries will be accompanied by low-resolution images, provided by the **Image Directory's** network of participating museums, libraries, societies, and other institutions.

Several outstanding features will help image users develop search strategies that save time, conserve resources, and provide the precise information they need. Immediate orders for images can be placed directly through the database. Users will have instant access to:

- ◆ Data on each artwork, including artist, title, date, dimensions, materials, and provenance
- ◆ Rights and reproduction information and licensing fees
- ◆ A link to the image provider's Web site
- ◆ Daily updates to information
- ◆ Two valuable search tools—the Getty Information Institute's *Union List of Artist Names®* and *Art and Architecture Thesaurus®*

The **Image Directory** enables image owners to bring information about their holdings to the attention of a vast audience, and organizes all data into a single, accessible reference source. It holds non-exclusive rights to images—image holders will retain complete control of their images and information. Academic Press works with both electronic and print media submissions, and sells access to the directory through site licenses, by time, and by search.

Whether you are looking for images, or wish to publicize or sell copies from your collection, the **Image Directory** will be your source. The database will be completed by fall of 1997, and a print version will be published in 1998.

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